

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BOARD MEETING

October 5-6, 1989

DON HINES

Chairman

NORTH TOLEDO BEND, LOUISIANA STATE PARK

AGENDA
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
NORTH TOLEDO BEND, LOUISIANA STATE PARK

	Page
1) Roll Call	1
2) Approval of Minutes of September 7-8-1989	1
3) Appeal of Decision of the Rescission of Louisiana Natural and Scenic Rivers Class B Use Permit #240- Union Oil and Gas Division, Unocal Corporation	1
4) Commission Authority to Set Channel Catfish Limits	2
5) Notice of Intent and Declaration of Emergency- Black Drum Harvest Regulations	3
6) Grant Parish DOTD Mitigation Lands	8
7) Ratification of Rule - Paddlefish Closure	9
8) Notice of Intent - Black Bass Regulations, Chicot Lake	10
9) Notice of Intent, Declaration of Emergency - Oyster Season Calcasieu and Sabine Lakes	11
10) Oyster Season Update and Notice of Possible Season and Harvest Restrictions Alteration	12
11) Ratification of Rule - Shrimp Bait Dealer's Permit	14
12) Oyster Harvester's License Fee Discussion	14
13) Ratification of Rule - King and Spanish Mackerel	17
14) Notice of Intent - Fish and Wildlife Values	19
15) Law Enforcement Report	23
16) Update on Ducks Unlimited Contribution	24
17) Secretary's Report	24
18) Update on New Orleans Building	25
19) December Meeting Date	26
20) Discussion of Mary Olive Pierson's Letter- Public Bid for Oyster Lease	27

Page 2

21) Lost Alligator Tags - Mr. Rink	27
22) Adjournment of Meeting	28

MINUTES OF MEETING

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

OCTOBER 5-6, 1989

Chairman Don Hines presiding:

Thursday, October 5, 1989

Mr. James Jenkins
Mr. Norman McCall
Mr. Joe Palmisano
Mr. Warren Pol
Mr. Dale Vinet

Secretary Van Sickle was also present.

Chairman Don Hines presiding:

Friday, October 6, 1989

Mr. James Jenkins
Mr. Norman McCall
Mr. Joe Palmisano
Mr. Warren Pol
Mr. Dale Vinet

Secretary Van Sickle was also present.

The minutes of the regular monthly meeting of September 7-8, 1989, were unanimously approved at Thursday's meeting with a motion from Mr. Jenkins and seconded by Mr. Pol.

At Thursday's meeting Chairman Hines stated that the first item of business to be taken up by the Commission was the Appeal of the Decision of the Rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 240 - Union Oil and Gas Division, Unocal Corporation. Mr. Palmisano stated that after listening to both presentations and Secretary Van Sickle's remarks he would like to make a formal motion that the Commission direct Secretary Van Sickle as head of the permitting agency to go ahead and issue the Class B Permit No. 240 in its original state along with additional mitigation. He stated that the department and Secretary Van Sickle shall work out the mitigation details with Union Oil in issuing the permit. Seconded by Mr. Pol. Mr. McCall stated that due to a possible conflict that he was going to abstain from voting. The record shows that Mr. Norman McCall is abstaining from voting on this issue to avoid any possible conflict of interest and let the record farther show that Mr. Dale Vinet is present. Motion passed.

Secretary Van Sickle stated she would like to ask a question. She stated that this action was for one single permit and wished to know what the Commission expects her to do with permits like this on other rivers, because she is going to continue to deny permits unless the Commission tells her now they want to have oil and gas development on scenic rivers. She asked for an explanation of the basis for the Commission's action so that she will consider this Guidance in the future.

Mr. Palmisano commented that his motion was based on the fact that this general area has been developed for oil and gas over the past "umpteens" years and over a hundred and thirty something wells are drilled within a couple of miles of the area. He cannot see holding back this location for that reason. Mr. Palmisano is of the opinion that with the mitigation work that is going to be done it is actually going to enhance the area rather than take away from it. This is why Mr. Palmisano moved to reverse Secretary Van Sickle's decision. He stated that he feels that everybody on the Commission wants to protect the scenic value of all the rivers and streams, and thinks that scenic river permits have to be taken on a one on one basis, look at each permit case by case. Commissioner Jenkins and other members agreed.

At Thursday's meeting Mr. Mike Landrum discussed the Commission's Authority to set Channel Catfish Limits. Mr. Landrum advised that he was requested to look at R.S. 56:326 with regard to the Channel Cat which is locally called the "white or eel cat" and to render an opinion as to the authority the Commission has to vary the size limit on this species of catfish. This was a fairly easy job to render opinion on and the statute is quite clear commented Mr. Landrum. Mr. Landrum then quoted the statute. "The Channel cat locally called the white cat, the eel cat, or the willow cat, eleven inches minimum length with the mouth closed or nine inches with the collar bone off. However, the Commission is authorized to suspend or reduce by resolution the legal size limit on channel catfish in those areas of the state where biological data indicates that such a suspension or reduction in the size limit would not be detrimental to the resource." Mr. Landrum stated that the statute is quite clear and it does establish a fixed definite limit on the size of the catfish and it makes one exception and that is where biological data would support it gives the Commission a certain amount of latitude to reduce the size. Where the biological data is not present Mr. Landrum does not think the Commission has the authority to act and believes the legislature has spoken quite clearly. Mr. Landrum asked if there were any questions. Mr. Palmisano stated that he has some and that he was the one that requested to find out exactly what or what could not be done by the Commission so that action could be taken if the Commission so desired. At this point Mr. Landrum stated that his information was that the biological data did not support this and he called on Mr. Bennie Fontenot.

Mr. Palmisano asked Mr. Fontenot if the presentation that was made in Grand Isle had changed. Mr. Fontenot advised it had not and the data does not support to reestablish the suspension. Mr. Vinet asked if this was the eel cat that was in Des Allemands that the department thought was stunted. Mr. Fontenot answered yes and it is growing normally just like other catfish in the state. An error had been made five or six years ago when they were aged. Mr. Palmisano stated that for those present in the audience who were at Grand Isle he wanted to know, and the rest of the Commission also, if they had any grounds to go ahead and do anything. As far as the legislature and the law is concerned the only way that something can be done is if biological data could support it. Since the department and the biologists say that the biological data does not support so as far as the law is concerned the Commission's hands are tied stated Mr. Palmisano. Chairman Hines advised that since there will be no action today on this issue and the law expires on December 31, 1989 at midnight so on January 1, 1990 the eleven inch length will be uniform statewide. He then asked if anyone else would like to speak.

Mr. Raymond Joseph Fonseca, Jr., Des Allemands, LA, addressed the Commission. To Mr. Fonseca it seems Lake Des Allemands catfish are real thick and real plentiful and the fishermen deserve a little better than what they are going to get. He would really like to try a compromise somewhere in the intermediate range. Mr. Palmisano advised Mr. Fonseca the only way this could be done would be to go to the legislature because they are the only ones that can change it. With the authority that has been given to the Commission the only way they can change it is if the biological data supports it and this does not look like this is going to happen stated Mr. Palmisano.

Chairman Hines stated that the department and Commission would continue to look at this and if at any time the biological information that comes to the Commission is different it will be brought up again but until that time the Commission has no further recourse then to do what they have done today.

At Thursday's meeting Dr. Jerry Clark presented a Notice of Intent and Declaration of Emergency on Black Drum Harvest Regulations. Dr. Clark advised that everybody that is interested in this issue has spent a lot of time in the last two weeks meeting and working on this and trying to achieve, if not a consensus, at least a significant majority of the people who would come upon an agreement at least on how to reduce the harvest of black drum in the interim period by approximately fifty percent. The agreement that has been reached is a fourteen inch minimum size for recreational fishermen which will affect a 50 percent reduction in the recreational catch. In the commercial fishing industry an eighteen inch minimum is being recommended that by itself would not affect 50 percent reduction in the catch. However, the commercial industry has agreed to a 300,000 fish quota for the next six months

that will make sure that their reduction is equivalent to the recreational catch. The commercial catch will be monitored on a monthly basis and closure will be recommended if the 300,000 fish are met. There is not the same kind of monthly reporting on the recreational fishery as the National Marine Fisheries Data is only collected by-monthly. The data will be reviewed as it becomes available and if the fourteen inch minimum size limit does not affect the 50 percent recommendation the issue will be readdressed because the goal is to be fair to both units to do the 50 percent reduction stated Dr. Clark. Dr. Clark thanked everybody who participated in the process.

Mr. Harlon Pierce, Chairman, Ad Hoc Committee on Black Drum, addressed the Commission. Mr. Pierce read the letter that he drafted and faxed yesterday to Dr. Clark from the Ad Hoc Black Drum Advisory Committee. The letter read: "In response to your mandate that the commercial segment of the black drum fishery reduce its catch by 50 percent prior to the implementation of a black drum long term management plan and with the understanding from your data that the 50 percent reduction is equal to 300,000 fish based on the average catch from 1985-1988 the Ad Hoc Black Drum Advisory Committee makes this recommendation. Since you have in effect given us a quota of 300,000 fish in an effort to not completely destroy the large drum market and its fishermen or the small drum market and its fishermen in the short term we would like the harvest of this quota to be a fish of an eighteen inch minimum length with no maximum size. This recommendation will achieve the 50 percent reduction mandate while having fewer detrimental effects than the other options we considered. This will allow the department and its advisory committee to work on a long term plan in an atmosphere of less pressure for fishermen that specialize in either large or small drum. We do not feel that the quota will be reached as rapidly as your figures indicate because of several reasons. Among them is the fact that the industry feels there has already been a reduction of 50 percent or more in the harvest as compared to last year and the previous years because of a reduction in fishing efforts. For example in 1988 70 percent of the total catch was during the months of January through June. This year there was a 54.7 percent reduction in catch during that period. Further the incidental catch of black drum is down because of the moratorium on red fish and the trout quota. There has also been a decreased black drum market this year. Changes in and enforcement of the attended net law has served to decrease the drum catch. In addition there has been a decline in the number of fishermen, in the number of buyers and in the number of processors of black drum. Hopefully these factors will not create a situation where the department has to enact a closure during the short term period. Therefore we ask that your recommendation to the Wildlife and Fisheries Commission be one which will achieve the 50 percent reduction you seek and which will best serve the industry and that the recommendation be that as an interim measure prior to the implementation of the black drum management plan the 300,000 fish

quota be harvested with a minimum size of eighteen inches and that the management plan be formulated and instituted as soon as possible." Another discussion that Mr. Pierce had with Dr. Clark was that if per chance the management plan is put into effect in January and if it says that we should reduce by 50 percent or more this 300,000 fish mandate stays in effect till April 1, 1990. If the management plan says it should be reduced by anything less than 50 percent than the quota will be added to for those next three months. Mr. Pierce thinks an agreement has been reached that will work for all parties involved and hopes that the Commission goes along with the recommendation.

Mr. Mark Hilzim, Director of the GCCA of Louisiana, addressed the Commission. Mr. Hilzim stated that like the commercial fishery they have also worked very closely with the department on trying to come up with a program that would meet what their suggested guidelines are. The fourteen inch minimum for recreational as a interim measure is fine and feel that their real directed fishery is smaller fish and larger fish. Will be working closely with the department for the next six months to see if they can't try to satisfied their directed fishery as opposed to their incidental fishery.

Mr. Jesse Fontenot representing the St. Mary Industrial Group and the East St. Mary Chamber of Commerce addressed the Commission. Mr. Fontenot stated that it was time for steps to be taken on the black drum and hope good will be done. The black drum is in a very bad situation in their area and very few fish have been caught in the last year or so. Mr. Fontenot asked to bring another matter up before the Commission. Chairman Hines granted Mr. Fontenot's request. Mr. Fontenot stated that he had been in contact with some of the Wildlife and Fisheries biologists concerning nutria. The nutria is in a sad situation in Terrebonne Parish, St. Mary Parish and steps in these areas need to be taken as soon as possible. The nutria have eaten all the vegetation and all you see now is coffeeweed and there are no deer in the area advised Mr. Fontenot. He would like to see the department take steps on whatever can be done and come up with some suggestions. It is very important for the department to workout a program with the land company otherwise a lot more marsh will be lost. Another matter Mr. Fontenot brought up was the oil industry which he has been in for fifty years. He asked the Commission that before any permit be issued in the future for them to find out what they do with the drilling mud left in the dead end canals when they go to move location. In many places it has been dumped in the canal and a lot of it has chemicals in it. Mr. Fontenot advised that he had done this many years ago and just recently he checked a canal where he had supervised drilling operations in 1956. The drilling mud and the chemicals are still in the dead end canal the day like he dumped it thirty three years ago. Mr. Fontenot would like to see the Department of Wildlife and Fisheries do something to stop this dumping of mud and chemicals in the canals.

(The full text of the resolution is made a part of the record)

WHEREAS, black drum landings increased significantly from 1984 - 1987, and

WHEREAS, a preliminary stock assessment evaluation by scientists from both the Department of Wildlife and Fisheries and a number of Louisiana universities has indicated that the fishery mortality of black drum in Louisiana is higher than desirable, and

WHEREAS, the joint black drum stock assessment group has concluded it is important to stabilize fishing mortality rates at a level which will maintain an age structure for black drum that would ensure a healthy fishery in the future, and

WHEREAS, R.S. 56:326.1 provides the Louisiana Wildlife and Fisheries Commission may set size limits for all fresh and saltwater game fish and commercial fish, and

WHEREAS, R.S. 56:326.3 provides the Louisiana Wildlife and Fisheries Commission may set quotas for all fresh and saltwater fish, and

WHEREAS, R.S. 49:967 provides the Louisiana Wildlife and Fisheries Commission may employ the emergency provision of the Administrative Procedure Act (R.S. 49:953B) when setting Finfish size limits.

NOW THEREFORE BE IT RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby establish by Emergency Declaration for the recreational taking of black drum a minimum size limit of 14 inches total length and for the commercial taking of black drum a minimum size limit of 18 inches total length, and

BE IT FURTHER RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby establish for the commercial taking of black drum an interim quota of 300,000 fish, and

BE IT FURTHER RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby authorize the Secretary of the Louisiana Department of Wildlife and Fisheries to enact an emergency closure after seventy-two hours notice when the commercial harvest reaches 300,000 fish, and

BE IT FURTHER RESOLVED the Department proceed with the publication of a notice of intent for establishment of minimum size for the harvest of black drum, and

BE IT FURTHER RESOLVED the Finfish Panel established by the Department of Wildlife and Fisheries is requested to work with the Department to develop as soon as possible permanent rules and regulations for the safe harvest of black drum.

A motion was made by Mr. Jenkins for adoption and seconded by Mr. Pol. Passed unanimously.

(The full text of the declaration of emergency is made a part of the record)

In accordance with the emergency provisions of R.S. 49:953(B) and 967(D) of the Administrative Procedures Act, and under the authority of R.S. 56:326.1 and R.S. 65:326.3, the Wildlife and Fisheries Commission hereby finds that preliminary estimates of current levels of fishing mortality on black drum are higher than desirable and accordingly adopts the following emergency rule:

Effective at 12:00 noon on October 12, 1989, there is hereby established for the recreational taking of black drum a minimum size limit of 14 inches total length, and for the commercial taking of black drum a minimum size limit of 18 inches total length. There is further hereby established for the commercial taking of black drum an interim quota of 300,000 fish. The Secretary of the Department of Wildlife and Fisheries is hereby authorized to enact an emergency closure upon seventy-two (72) hours notice, when the commercial harvest reaches 300,000 fish.

The Wildlife and Fisheries Commission recognizes the black drum landings have increased significantly for 1984-1988 and finds that preliminary estimates of current levels of fishing mortality are higher than desirable. The Wildlife and Fisheries Commission acknowledges the importance of stabilizing fishing mortality rates at a level which will maintain an age structure that would ensure a healthy fishery in the future.

Secretary Van Sickle and Chairman Don Hines thanked everyone for working together and making this compromise possible.

Mr. Vinet asked if a sports fisherman that is catching a fourteen inch fish go and sell that fish commercially if he has a commercial license? Ms. Van Sickle responded that the sports fisherman cannot sell their fish, including those 14" or greater.

At Thursday's meeting Mr. Tommy Prickett presented a resolution on the Grant Parish DOTD Mitigation Lands. Mr. Prickett gave background information on the Grant Parish DOTD Mitigation Lands to the Commissioners. Back in the early 80s' DOTD was required through a mitigation plan to purchase some wildlife habitat to replace some habitat that was damaged due to road construction and bridge construction. The property was purchased in the early spring of 1982 and comprises about 3,000 acres of wetland type habitat; 2,500 acres of it was on the Grant Parish side of Little River and an additional 500 acres is on the LaSalle Parish side of Little River. Part of the mitigation plan specified that the Department of Wildlife and Fisheries would take this property and manage it as a wildlife management area and for this DOTD would receive mitigation credits for having a working wildlife management plan in place on the property. Just in the last week Secretary Van Sickle has signed a document transferring the title of this land to the Department of Wildlife and Fisheries. The next step will be to select a name for the property and have it proclaimed by the Governor as a wildlife management area. Mr. Prickett advised that they have come before the Commission with a resolution that has a suggested name and if the Commission would prefer to change what has been recommended it certainly can be done. The dedication of the land will be in the next couple of weeks. The suggested name is Little River Wildlife Management Area. Mr. Pol asked what the expense was to the department for taking over these wildlife management areas. Mr. Prickett answered anytime you take over the custody of a tract of land there is some baggage that comes with it. You are dedicating employee time, biological effort and enforcement effort and in the physical purchase of signs, equipment and things to do to develop these properties. This piece of property was obtained with no expense to the department but there will be some initial setup and ongoing maintenance cost of providing public recreation on this area advised Mr. Prickett. This will be incorporated into the Federal Aid Budget with which the department manages all of their wildlife areas. This is a very small area and there are no speculations that there will be an intensive developmental type program. The staff is marking the boundaries right now and should be finished tomorrow afternoon and will be opened this hunting season with the same regulations as the state at large. It is to late in the season to formulate special regulations for this area and not sure if special regulations will be needed for this area. After the department has had some experience with the area and what know what kind of wildlife populations its supports, more restrictive seasons or more liberal season may be brought before the Commission stated Mr. Prickett. The area supports turkeys, deer, squirrel, some rabbits and migratory waterfowl during the right time of the year. Little River fluctuates a great deal and the majority at one time or another during the winter months floods so there is some potential for waterfowl and waterfowl management on the area. There are private camps in the inholdings along the river which are lands formally owned by International Paper Company and leased to

hunting clubs and some of these clubs still maintain camps that are privately owned for fishing and hunting. These camps are not on the property that the department has acquired. Lands that are being acquired by the department are inspected for dump sites or any future EPA problems that may occur by the department and in this case other government agencies. If the department is acquiring a tract of land these investigations are made in advance. Mr. McCall made motion to adopt the resolution, seconded by Mr. Jenkins. Passed unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, it is the goal of the Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries to provide areas for sportsmen to pursue hunting and fishing activities, and

WHEREAS, The Louisiana Department of Transportation and Development purchase 3,000 acres in Grant and LaSalle Parishes as mitigation land for damage to lands located elsewhere in Louisiana, and

WHEREAS, Department of Transportation and Development, as part of the mitigation plan, has transferred title of this 3,000 acre tract to the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, this acreage is suitable for establishment of the first wildlife management area in Grant Parish and will provide hunting opportunities to Louisiana sportsmen, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby accept title to this property for establishment of a new wildlife management area, and

BE IT FURTHER RESOLVED, that the area will be opened to the public beginning with the 1989-90 hunting season and shall be named the Little River Wildlife Management Area.

At. Thursday's meeting Mr. Bennie Fontenot presented the Rule on Paddlefish Closure for ratification. Mr. Fontenot advised before he addressed the paddlefish topic, Mr. Mike Cook with the State Times - Morning Advocate called and asked him to introduce and acknowledge a special guest in the audience. Mr. Carl Dunn who is the Executive Director of the Southeastern Outdoor Press Association was recognized by the Commission. Mr. Dunn addressed

the Commission briefly stating that he wanted to get to know everyone at the meeting, work with them, and promote goals.

Mr. Fontenot advised that a notice of intent had been passed at the August Commission meeting to close the taking of paddlefish for another three years. Also at that time a detailed program was given on this. Mr. Fontenot presented the rule for ratification by the Commission. Motion made by Mr. Palmisano to adopt rule. Seconded by Mr. Vinet. Passed unanimously.

(The full text of the rule is made a part of the record)

Pursuant to the authority granted under Louisiana Revised Statutes, Title 56, Section 22, the Louisiana Wildlife and Fisheries Commission prohibits the taking and possession of paddlefish, Polyodon spathula, commonly called spoonbill catfish, or paddlefish body parts, including eggs (roe), for a three year period beginning November 1, 1989 and ending at sunset on October 31, 1992.

Another visitor was introduced by Chairman Hines; Commission member from the Arkansas Game and Fish Commission, Mr. Maurice Lewis.

At Thursday's meeting Mr. Bennie Fontenot presented a Notice of Intent for Black Bass Regulations, Chicot Lake. Mr. Fontenot commented that Chicot Lake has been selected as one of the Black Bass Trophy Lakes in the state and since June 1, 1988 it has been intensively managed for black bass along with a detailed and heavy research project. A year ago a minimum size limit length was set by the Commission of fourteen inches and a reduce creel to ten inches. The effects of these regulations have been studied by the department all along and will expire the end of December of this year. The data indicates that if the department wants to really make this a trophy lake the regulations need to be modified and reduce the creel again and increase the minimum size. The department is recommending a five fish daily take and possession limit and also a minimum size of sixteen inches. This recommendation was presented at Chicot Lake a few nights ago to a large group of people that consisted of bass clubs, bass fishermen, local legislators, local rotary club, police jury members and they were in 100 percent of this new regulation. Motion made by Mr. Pol for adoption of notice, seconded by Mr. Jenkins. Passed unanimously.

(The full text of the notice is made part of the record)

Pursuant to the authority granted under Louisiana Revised Statutes, Title 56 Section 325(C), the Louisiana Wildlife and

Fisheries Commission hereby advertises its intent to establish a minimum size of 16 inches total length and a daily take and possession limit of 5 fish for black bass in Chicot Lake, Evangeline Parish, Louisiana. These proposed regulation will become effective January 1, 1990.

Interested persons may submit written comments on the proposed rule to the following address: Bennie J. Fontenot, Jr., Chief, Inland Fisheries Division, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, Louisiana 70898-9000.

At Thursday's meeting a Notice of Intent and Declaration of Emergency was presented by Mr. Phil Bowman on Oyster Season Calcasieu Lake. Mr. Bowman advised that the department has now finished its assessment with the oyster populations on Calcasieu Lake and this year have noticed a significant reductions in the oysters that are available for harvest in Calcasieu Lake. In 1988-89 on marketable oysters it was estimated that there were 463,000 sacks of oysters in Calcasieu Lake that were three inches or larger, this year the estimate is 172,000 sacks of oysters that are three inches or larger. The department believes that the reduction is a result of some of the flooding problems they have had in that system this past year. Mr. Bowman presented a resolution on the oyster season in Calcasieu and Sabine Lakes. A motion was made by Mr. McCall to adopt the resolution and seconded by Mr. Jenkins. Passed unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, the harvest of oysters in Calcasieu Lake and Sabine Lake is regulated by R.S. 56:435.1, and

WHEREAS, the Department may extend the oyster season to compensate for time lost due to health closures as a result of Act 112 of the 1988 Regular Legislative Session, now

THEREFORE BE IT RESOLVED, that the 1989/90 oyster season in Calcasieu and Sabine Lakes will open 1/2 hour before sunrise Wednesday, November 15, 1989, and extend until 1/2 hour after sunset, Thursday, March 15, 1990, and

BE IT FURTHER RESOLVED, harvest will be by tonging only, and

BE IT FURTHER RESOLVED, that the waters of Calcasieu Lake and Sabine Lake will be open only when the State Department of Health and Hospitals classifies these waters as safe for the harvest of oysters, and

BE IT FURTHER RESOLVED, that the Department's Secretary has the authority to delay the closing of this season to

compensate for health closures, such delay not to extend past April 30, 1990 or close the season if biological information indicates the need to do so or if enforcement problems arise.

(The full text of the notice of intent is made a part of the record)

In accordance with R.S. 49:950 et.seq., the Administrative Procedures Act, notice is hereby given that the Louisiana Wildlife and Fisheries Commission publishes its intent to adopt a rule describing the conduct of the 1989/90 oyster season in Calcasieu and Sabine Lakes. The season shall be conducted as follows:

1. The 1989/90 oyster season in Calcasieu and Sabine Lakes will open 1/2 hour before sunrise Wednesday, November 15, 1989, and extend until 1/2 hour after sunset, Wednesday, March 15, 1990.
2. Harvest will be by tonging only.
3. The waters of Calcasieu and Sabine Lakes will be open only when the state Department of Health and Hospitals classifies these waters as safe for the harvest of oysters.
4. The Department's Secretary has the authority to delay the closing of this season to compensate for health closures, such delay not to extend past April 30, 1990 or close the season if biological information indicates the need to do so or if enforcement problems arise.

Interested persons may submit written comments to the Department of Wildlife and Fisheries, Post Office Box 98000, Baton Rouge, LA 70898-9000, Attention: Philip Bowman, until 4:30 p.m. December 20, 1989.

Mr. Bowman briefed the Commission on what was seen so far in the oyster season on the other state grounds. The harvest has been significantly reduced as compared to some of the other years on record. The Department feels right now they are kind of in between the worst of situations, still feeling the effects east of the Mississippi River on a lot of the grounds of the above normal salinity and while all the rain and freshwater this year has helped elevate this situation there has not been a sufficient period of time for the spat sets that are now in that area to grow into seed oyster or marketable oysters. In other areas where oysters were being harvested last year, particularly south of Marsh Island, and in some of the areas that were traditionally to fresh for oysters that had oysters because the salinities had increased, the freshwater this year has returned those areas to somewhat of a more

normal situation even though are slightly below normal relative to salinity and mortalities have been experienced in those areas.

Mr. Bowman presented another resolution to the Commission for consideration to rescind their provision on the prohibition of use of water pumps to load oysters from the Public Oyster Seed Grounds or Oyster Seed Reservations. The department has looked at this and after some consultation with industry members and staff it is felt that there are sufficient conservation measures in the resolution that was passed in August that would accomplish the goal and this particular provision is really not needed stated Mr. Bowman.

Mr. Vinet asked if Mr. Bowman had received word that there was a very good spat showing up in the Marsh Island system and wouldn't it be better that this section be kept closed another month or so before it is opened to give the spat a chance. Mr. Bowman answered yes he had received word about the spat and there are a couple of areas that they are going to be recommending to Secretary Van Sickle next week that she leave closed as a result of this. The department is continuing to evaluate the information from other areas as it comes in but Marsh Island is not one of the initial areas that is going to be recommended, however, if the staff feels it is in the best interest of the industry to do this then the recommendation will definitely be made to Secretary Van Sickle.

Secretary Van Sickle commented that a letter has been received from the Oysters Growers and Dealers Association asking the department to suspend all harvesting on seed grounds hoping that the spat set this year will be next years seed oysters. The industry is encouraging the department as a conservation measure to not allow those oysters to be disturbed and this is the way the department is leaning at this point. The Secretary of the department has the authorization to keep the areas closed.

Mr. Vinet asked if there was any way that the oyster season could be opened, when there is an abundance of freshwater, before the oysters die and be transferred to another lease. Mr. Bowman answered that they would have to look and see if the law would allow that particular situation but there is legislation that designates the beginning of the season on the public grounds and the last day of the season on the public grounds. Mr. Bowman will check to see if the department has the authority to move oysters.

A motion was made by Mr. Vinet to adopt resolution and seconded by Mr. Pol. Passed unanimously.

(The full text of the resolution is made a part of the record)

WHEREAS, the Wildlife and Fisheries Commission at it's August 4, 1989 meeting passed a rule prohibiting the use of water pumps to load oysters, and

WHEREAS, oyster restrictions passed by the Wildlife and Fisheries Commission will achieve the same conservation goal, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby rescinds its prohibition on the use of water pumps to load oyster on the Public Oyster Seed Grounds or Oyster Seed Reservations.

At Thursday's meeting Mr. Phil Bowman gave an update on the oyster season and presented a notice of possible season and harvest restriction alternation.

At Thursday's meeting Mr. Phil Bowman presented a rule on Shrimp Bait Dealers' Permit for ratification. Mr. Bowman stated that this was brought before the Commission at the May meeting. It has gone through the administrative procedure and is now up before the Commission for ratification. There are two amendments that are being requested for Commission consideration stated Mr. Bowman. One is under C. Operations, number 3 - after water add "except Atlantic Clobber, Gulf Menhaden and Threadfin Shad may be kept and sold as bait". The other change is in the last sentence where it says "in lots not to exceed 16 ounces in weight" changed to "in lots not to exceed 48 ounces in weight."

Motion was made by Mr. Vinet to adopt the Bait Dealer's Permit rule, seconded by Mr. McCall. Passed unanimously.

Mr. McCall stated that he would like to make a comment pertaining to oysters. He received a call late yesterday from Randy Roach, Representative, asking him to speak to the Commission members today about ACT 516 which is the Oyster Harvesting License. Apparently there has been some discussion about this since it has come out, mainly to the fact it requires everybody on a vessel to have a \$100 license for resident and \$400 for non-resident. Mr. McCall thinks there is a feeling now that this was designed mainly for the oyster dredging vessels and there has been some resistance to this from the people who tong oysters and are limited to ten sacks per day. Mr. McCall was asked to bring a copy of a memo from Representative Roach explaining the situation and he has asked that it be put on the agenda for the November Commission meeting where he can come and talk to the Commission about it.

Secretary Van Sickle commented that it is statutory and the \$100 Oyster Harvester's License is a recommendation of the Oyster Task Force. In Mr. Roach's letter he says that Ron Dugas of the department agrees with him but from the department's respective no one has discussed this issue and a department position has not been rendered. The money that is going to be generated by the Oyster Harvester License will be roughly a half of million dollars a year and 40 percent of it will go to the Health Department to make sure

that the oyster growing waters are classified appropriately and polluted oysters are not harvested, the remaining 60 percent goes to the Louisiana Department of Wildlife and Fisheries Enforcement Division specifically for oyster law enforcement. Secretary Van Sickle stated that while she understood what Mr. Roach is getting at she is not sure she agrees with him on this.

Chairman Hines stated that this would be put on the agenda for the next meeting and all interested parties should be notified. The Legal Section needs to get involved and have a reading on what the department's legal authorities are on this issue for the next meeting.

(The text of the rule is
made a part of the record)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), and R.S. 56:497(C), the Louisiana Wildlife and Fisheries Commission is hereby giving notice of its intention to adopt rules and regulations for a special bait dealers' permit which will allow the taking of live bait shrimp by qualified permit holders during the closed season between the spring and fall shrimp seasons.

A. Policy

The special bait dealers' permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp as bait during the closed season between the spring and fall shrimp season. Its purpose is to allow the uninterrupted operation of those commercial and establishments which sell live bait shrimp to the fishing public during the spring and fall shrimp season. The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp, or for any other entity which may wish to catch shrimp for their own use during the closed season.

B. Application

1. Application for the special bait dealers' permit will be accepted from January 1 through April 30.
2. Application will be accepted only from the owner of an existing business which sells or plans to sell live bait to recreational fishermen.
3. Application must be made on forms provided by the Department; all information requested must be provided before the application will be processed.
4. Applicant must show proof of having acquired all necessary licenses and permits before the permit will be issued. This

includes, if relevant, boat registration, vessel license, gear license, commercial fishing licenses, wholesale/retail dealers license, state sales tax number.

5. Applicant must post a \$1,000 cash bond or surety bond before the permit is issued. This bond will be forfeited if the permittee, his employee, or his contractor violates any provision of the rules and regulations concerning the special bait dealers' permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit. Property bonds are not acceptable.

6. Before the permit is issued an agent of the Department must inspect the facilities of the applicant and verify that the applicant is operating a commercial establishment which sells live shrimp to the fishing public for use as bait, and that the applicant does have the facilities to maintain live shrimp. Notice to the public must be posted that live bait shrimp are available for sale. The applicant must have onshore facilities, including tanks with a minimum capacity of 500 gallons, available to hold live shrimp. These tanks must have provisions for aeration and/or circulation of the water in which live shrimp are held prior to sale. In determining total tank capacity of onshore facilities, the agent shall not count any tank with a capacity of less than 50 gallons.

7. Only the applicant, his designated employee or his contractor may operate under the permit. If the applicant has a contract with another party who will supply live bait shrimp to him, he must provide the Department written evidence of the agreement. At the time of application, the applicant will specify who will be working under the permit. Should these persons change, the applicant will notify the Department in the manner specified by the permit before the new vessel or persons operate under the permit. The permit is not transferable to any other person or vessel without previous notification to the Department in the manner specified by the permit.

8. Vessel operations under this permit shall be limited to areas specified by the Department in the permit. The applicant shall specify in his application the area in which he would like to operate.

C. Operations

1. Only the vessel listed in the permit can be used to under the permit. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp must be carried on or built into this vessel; it must be used for both taking and transporting the live shrimp. The vessel must have minimum of one compartment or tank with a capacity of 50 gallons. No other vessel may be used under the permit. Signs which identify the vessel as working under a

special bait dealers' permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.

2. Permitted gear is limited to one (1) trawl not to exceed 25 feet along the cork line and 33 feet along the lead line. This is the only gear which can be used or carried aboard the permitted vessel while the vessel is operating under permit; no other commercial fishing gear may be on the vessel when it is being used under permit.

3. No dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp and all other organisms caught while taking live bait shrimp must be immediately returned to the waters except Atlantic Croaker, Gulf Menhaden and Threadfin Shad may be kept and sold as bait. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 48 ounces in weight.

4. Bait shrimp may be taken only from sunrise to sunset; no night fishing is allowed under this permit.

5. The original permit must be in the possession of the person operating the vessel while it is engaged in taking shrimp under the terms of the permit.

6. Each time the permit is used the permittee must notify the Department in the manner specified by the permit. Before the vessel departs the dock under permit the Department must be advised of the time of departure and the general location in which trawling will take place; immediately after the permitted vessel returns to the dock the Department must be notified of its time of return.

7. The permittee shall maintain an up-to-date record of the activities conducted under permit on forms provided by the Department for that purpose. These forms shall be available for inspection by agents of the Department upon request by said agents. Permittee will submit to the Department, not later than September 1, the record of shrimp harvested under permit.

At Thursday's meeting Mr. John Roussel presented a resolution and the rule on Spanish and King Mackerel Recreational Limits for ratification. Mr. Roussel advised that at the June Commission meeting authorization was given to the department to file notice of intent to establish recreational bag limits for Spanish and King Mackerel. All the provisions of the administrative procedure have been met with the exception of final ratification which Mr. Roussel presented to the Commission. A motion was made by Mr. Jenkins for adoption of resolution and seconded by Mr. Pol. Passed unanimously.

(The full text of the resolution
is made a part of the text)

WHEREAS, both Spanish and King Mackerel are managed under the federal Fishery Management Plan for the Coastal Migratory pelagic Resources of the Gulf of Mexico and South Atlantic, and

WHEREAS, this fishery management plan establishes recreational bag limits for both Spanish and King Mackerel taken in the federal waters of the Gulf of Mexico and South Atlantic, and

WHEREAS, the Gulf and South Atlantic Fishery Management Councils have requested that the Gulf States adopt recreational bag limits for Spanish and King Mackerel compatible with those contained in the federal fishery management plan, and

WHEREAS, on June 2, 1989 the Louisiana Wildlife and Fisheries Commission expressed its intent to establish recreational bag limits for Spanish and King Mackerel, and

WHEREAS, all provisions of the Administrative Procedures Act have been met.

THEREFORE BE IT RESOLVED, by the Louisiana Department of Wildlife and Fisheries Commission that pursuant to the authority granted by Section 326.3 of Title 56 of the Louisiana Revised Statutes the recreational bag limit for Spanish mackerel shall be 10 fish per person per trip; and the recreational bag limit for King Mackerel shall be 2 fish per person per trip for private vessels and for charter vessels the King Mackerel recreational bag limit shall be either 3 fish per person per trip excluding captain and crew, or 2 fish per person per trip including captain and crew, whichever is greater.

BE IT FURTHER RESOLVED, that the complete contents of the rule establishing recreational bag limits for Spanish and King Mackerel is attached to and made a part of this resolution.

(The full text of the rule
is made a part of the record)

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing recreational bag limits for spanish and king mackerel:

Title 76
Wildlife and Fisheries
Part VII. Fish and Other Aquatic Life
Chapter 3. Saltwater Sport and Commercial Fishing
S.327. Daily Take and Possession Limits Set by Commission

The recreational bag limit for spanish mackerel (Scomberomorus maculatus) shall be 10 fish per person per trip.

The recreational bag limit for king mackerel (Scomberomorus cavalla) shall be 2 fish per person per trip for private vessels. For charter vessels the recreational bag limit for king mackerel shall be either 3 fish per person per trip, excluding captain and crew, or 2 fish per person per trip, including captain and crew, whichever is greater. For the purposes of this rule, charter vessels shall be defined as vessels permitted by the National Marine Fisheries Service to fish as a charter vessel under the Federal Fishery Management Plan for the Coastal Migratory Pelagic Resources of the gulf of Mexico and South Atlantic.

At Thursday's meeting Mr. W. B. Watson presented a Notice of Intent for Fish and Wildlife Values. Mr. Watson stated that in December of last year in New Orleans the process of developing the wildlife values began with the promulgation of the guidelines to determine these values. A notice of intent was filed on some interim values earlier this year. These values were not published in the Register because between the time the notice of intent was filed and the time the department sent the values to the Register to be published there were several substantial changes made in the method of calculation and the numbers. This necessitated another Economic Impact Statement on the values as they would be promulgated. These values will be published in the October Register. After discussion of some of the values and how they were derived it was brought out that there are provisions for annual review and changing of the figures. Dr. Clark recommended that new values be adopted every year using the same procedures and same formulas to update them to the most recent values. He reasoned that if you get into court with four year old data and it is four times as high as the most current data that the case will not be very good. You always should be in court with the most recent data. A motion was made for adoption by Mr. Jenkins and seconded by Mr. Pol. Passed unanimously.

Mr. Don Puckett, department attorney, commented in regard to Mr. Vinet's comments on the value of the shrimp. Mr. Puckett stated to keep in mind that if the department seized shrimp that are commercially saleable the department will retain the sale price so the department will be getting what is essentially is market value. Mr. Puckett advised that for the record supplement the minutes with the formula and other data used to arrive at the

figures. Mr. Palmisano requested that minutes reflect the method in which the figures are derived.

Mr. Vinet stated that he had received some materials from National Marine Fisheries pertaining to the hundred count and asked Mr. Corky Perret to give an update. Mr. Perret stated that the Council recently took this issue back up and he was going to let Mr. Bowman handle this since he was there. Mr. Bowman advised that basically as he understood it the Council has revived this issue and is now gathering information to resubmit it to National Marine Fisheries Service. It will go back to them for review and hopefully will not have to go through the entire process again but will have to go through part of it. Louisiana now has a law pertaining to the hundred count but you have to be able to prove that they came from Louisiana waters, violators have got to be caught on the water.

(The full text of the notice
is made a part of the record)

The Louisiana Wildlife and Fisheries Commission hereby gives notice to the public that pursuant to Act 169 of the 1988 regular session of the Legislature, the Commission intends to adopt monetary values to be assigned to illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life. Said rule is attached to and make part of this Notice of Intent.

A copy of the proposed rule is available for inspection by the public in the Office of the Secretary of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, Louisiana between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday.

For further information contact M. B. Watson, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000 or call (504) 765-2369.

(The full text of the rule is
made a part of the record)

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION
TITLE 76
WILDLIFE AND FISHERIES

PART I.	Wildlife and Fisheries Commission and Agencies Thereunder
Chapter 3.	Special Powers and Duties
Subchapter C.	Wildlife Values
S 315.	Fish and Wildlife Values

The Wildlife and Fisheries Commission hereby adopts the following values for illegally taken, possessed, injured or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

Game Mammals and Game Birds

Deer	\$474.70
Squirrels	\$ 8.82
Rabbits	\$ 14.84
Turkeys	\$726.24
Ducks	\$ 10.59
Geese	\$ 38.02
Coots	\$ 11.34
Gallinules	\$ 4.01
Rails	\$ 25.89
Snipe	\$ 20.29
Quail	\$ 15.72
Woodcock	\$ 27.13
Doves	\$ 8.85

Non-Game Animals

Raptors (Birds)	\$ 50.00
Other Birds	\$ 10.00
Frogs	\$ 8.84/lb.
Turtles	\$ 5.35/lb.
Alligator (Skin)	\$ 45.00/ft.
Alligator (Meat)	\$ 2.00/lb.
Nutria	\$ 2.50
Mink	\$ 12.50
Fox	\$ 15.00
Muskrat	\$ 2.00
Raccoon	\$ 5.00
Bobcat	\$ 45.00
Black Bear	\$2,000.00
Marine Mammals	\$2,000.00
Other Mammals	\$ 10.00

Threatened and Endangered Species

Reptiles (Adult or Young)	\$2,500.00/animal
Reptiles (Eggs)	\$2,500.00/violation
Birds (Adult or Young)	\$2,500.00/animal
Birds (Eggs)	\$2,500.00/violation
Mammals	\$2,500.00/animal
Invertebrates	\$2,500.00/violation

All Non-Commercial/Non-Sport Fish

Marine		Freshwater	
Length	Value	Length	Value
Inches		Inches	
1	\$0.32	1	\$0.17
2	\$0.58	2	\$0.22
3	\$0.89	3	\$0.29
4	\$1.20	4	\$0.43
5	\$1.47	5	\$0.57
6	\$1.72	6	\$0.71
7	\$2.03	7	\$0.82
8	\$2.40	8	\$1.00
9	\$2.72	9	\$1.41
10	\$3.00	10	\$1.70
11	\$3.70	11	\$1.99
12	\$4.69	12	\$2.56
13	\$5.72	13	\$3.14
Over 13	\$5.72/lb.	Over 13	\$3.14/lb.

Commercial Fish Species

Species Group	Value/\$/Lb	Species Group	Value \$/Lb
Menhaden	\$0.05	Shrimp	\$ 1.46
Crab, Blue	\$0.41	Crawfish	\$ 0.44
Oyster	\$2.35	Tuna, Yellowfin	\$ 1.52
Drum, Black	\$0.27	Catfishes	\$ 0.48
Buffalofish	\$0.18	Shark	\$ 0.44
Mullet, Black	\$0.64	Sheepshead	\$ 0.18
Carp	\$ 0.09	King Whiting	\$ 0.30
Swordfish	\$3.10	Sheepshead, Freshwater	\$ 0.19
Garfish	\$0.45	Amberjack	\$ 0.58
Snapper, Vermilion	\$1.53	Wahoo	\$ 0.85
Sea Catfish	\$0.13	Grouper & Scamp	\$ 1.65
Butterfish	\$0.42	Shark, Black Tip	\$ 0.32
Tilefish	\$1.18	Tuna, Bluefin	\$13.65
Warsaw	\$1.19	Dolphinfish	\$ 0.83
Grouper, Yellowedge	\$1.73	Shark, Bonito	\$ 0.72
Grouper, Yellowfin	\$1.71	Scamp	\$ 1.89
Grouper, Black	\$1.80	Tuna, Other	\$ 0.41
Scup or Porgy	\$1.12	Pompano	\$ 3.11

Recreational & Commercial Fishes

Inch	Red fish	Speckled Trout	Red Snapper	White Trout	Flounder	Croaker	King Mackerel	L.Mouth Bass	Blue Gill	Crappie
1	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.31	\$0.25	\$0.31
2	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.72	\$0.50	\$0.52
3	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$0.93	\$0.58	\$0.52
4	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.05	\$0.73	\$0.72
5	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.38	\$0.85	\$0.76
6	\$1.98	\$1.98	\$1.98	\$1.98	\$1.98	\$2.20	\$1.98	\$1.60	\$1.23	\$1.23
7	\$3.17	\$2.64	\$2.61	\$2.03	\$2.42	\$2.42	\$6.10	\$2.60	\$3.99	\$1.74
8	\$4.36	\$3.30	\$3.24	\$2.08	\$2.86	\$2.64	\$10.23	\$3.59	\$9.59	\$2.26
9	\$5.56	\$3.96	\$3.87	\$2.14	\$3.31	\$2.86	\$14.35	\$4.58	\$23.05	\$2.77
10	\$6.75	\$4.82	\$4.50	\$2.19	\$3.75	\$3.17	\$18.48	\$5.57	\$25.61	\$3.29
11	\$7.94	\$5.28	\$5.13	\$2.24	\$4.19	\$3.49	\$22.60	\$6.56	\$28.17	\$4.45
12	\$9.13	\$5.94	\$5.76	\$2.29	\$4.63	\$3.82	\$26.72	\$7.56	\$30.73	\$6.02
13	\$10.33	\$6.60	\$6.39	\$2.34	\$5.07	\$4.16	\$30.85	\$8.55	\$33.29	\$8.15
14	\$11.52	\$8.39	\$7.02	\$2.94	\$5.52	\$4.50	\$34.97	\$9.54	\$35.85	\$11.04
15	\$12.71	\$10.67	\$8.41	\$3.69	\$6.02	\$4.86	\$39.10	\$12.91	\$38.41	\$14.94
16	\$13.90	\$13.55	\$10.04	\$4.62	\$6.54	\$5.23	\$43.22	\$17.48	\$40.98	\$20.23
17	\$17.37	\$17.20	\$11.96	\$5.77	\$7.10	\$5.60	\$47.34	\$23.67	\$43.54	\$27.39
18	\$21.70	\$21.82	\$14.19	\$7.20	\$7.68	\$6.00	\$51.47	\$32.04	\$46.10	\$29.00
19	\$27.10	\$27.67	\$16.81	\$8.98	\$8.29	\$6.40	\$55.59	\$43.38		\$30.61
20	\$33.86	\$35.09	\$19.87	\$11.20	\$8.93	\$6.82	\$59.72	\$58.73		\$32.22
21	\$42.29	\$44.50	\$23.45	\$13.95	\$9.61	\$7.26	\$63.84	\$79.52		\$33.83
22	\$52.83	\$56.44	\$27.62	\$17.39	\$10.33	\$7.71	\$67.97	\$83.30		\$35.44
23	\$66.00	\$59.21	\$32.50	\$21.66	\$11.09	\$8.17	\$72.09	\$87.09		\$37.05
24	\$82.45	\$62.02	\$38.20	\$22.78	\$11.89	\$8.66	\$76.21	\$90.87		\$38.66
25	\$103.00	\$64.86	\$44.86	\$23.92	\$12.73	\$9.16	\$80.34	\$94.66		
26	\$128.67	\$67.73	\$52.65	\$25.08	\$13.62	\$9.69	\$84.46	\$98.45		
27	\$133.61	\$70.64	\$61.77	\$26.27	\$14.56		\$88.59	\$102.23		
28	\$138.56	\$73.59	\$65.02	\$27.49	\$15.55		\$92.71	\$106.02		
29	\$143.51	\$76.57	\$68.38	\$28.74			\$96.83	\$109.81		
30	\$148.46	\$79.59	\$71.85	\$30.01			\$100.96	\$113.59		
31	\$153.41	\$82.65	\$75.42	\$31.32			\$105.08	\$117.38		
32	\$158.36	\$85.75	\$79.12				\$109.21	\$121.17		
33	\$163.31		\$82.94				\$113.33	\$124.95		
34	\$168.25		\$86.88				\$117.45	\$128.74		
35	\$173.20		\$90.95				\$121.58	\$132.53		
36	\$178.15		\$95.15				\$125.70	\$136.31		
37	\$183.10		\$99.48				\$129.83			
38	\$188.05		\$103.96				\$133.95			
39	\$193.00		\$108.58				\$138.08			
40	\$197.95		\$113.35				\$142.20			
41	\$202.90		\$118.26				\$146.32			
42	\$207.84		\$123.34				\$150.45			
43	\$212.79						\$154.57			
44	\$217.74						\$158.74			
45	\$222.69						\$162.95			
46	\$227.64						\$167.20			
47	\$232.59						\$171.50			
48	\$237.54						\$175.83			
49	\$242.48						\$180.21			
50	\$247.43						\$184.63			
51	\$252.38						\$189.10			
52	\$257.33						\$193.61			
53							\$198.17			
54							\$202.78			
55							\$207.43			
56							\$212.13			
57							\$216.89			
58							\$221.69			
59							\$226.55			
60							\$231.46			
61							\$236.42			
62							\$241.44			
63							\$246.51			
64							\$251.64			
65							\$256.83			
66							\$262.07			

Cabio	\$0.84	Tuna, Blackfin	\$ 0.38
Bluerunner	\$0.36	Triggerfish	\$ 0.74
Shark, Thrasher	\$0.39	Grouper, Snowy	\$ 1.74
Shad	\$0.18	Spanish Mackerel	\$ 0.30
Tuna, Bigeye	\$2.30	Bearded Brotula	\$ 0.68
Snapper, Queen	\$1.35	Snapper, Silk	\$ 1.51
Bluefish	\$0.27	Grouper, Marbled	\$ 1.34
Grouper, Gag	\$1.82	Shark, Longfin Mako	\$ 1.00
Bowfin	\$0.27	Snapper, Other	\$ 1.69
Snapper, Black	\$1.44	Crab, Stone	\$ 2.00
Tuna, Albacore	\$0.74	Sculpin	\$ 1.04
Bonito	\$0.29	Jewfish	\$ 0.91
Squid	\$0.34	Eel, Common	\$ 0.47
Shark, Tiger	\$0.35	Snapper, Lane	\$ 1.97
Spot	\$0.31	Snapper, Mangrove	\$ 1.18
Tripletail	\$0.55	Driftfish Black	\$ 1.11
Hind, Speckled	\$1.36	Grouper, Other	\$ 0.71
Paddlefish	\$0.18	Marlin, White	\$ 0.80
Shark, Sanbar	\$0.27	Marlin, Blue	\$ 0.82
Snapper, Blackfin	\$1.21	Hake	\$ 0.47
Hinds, Other	\$1.32	Spearfish	\$ 0.75
Rudderfish	\$0.59	Sailfish	\$ 0.95
Shrimp, Freshwater	\$0.86	Grouper, Red	\$ 1.53
Snapper, Yellowtail	\$0.79	Crevalle Jack	\$ 0.11
Hind, Rock	\$1.31	Shark, Blue	\$ 0.22
Snapper, Gray	\$0.90	Shark, Hammerhead	\$ 0.31
Tuna, Skipjack	\$1.35	Shark, Sand Tiger	\$ 0.34
Skates	\$0.43	Grunts	\$ 0.33
Snapper, Mahogany	\$1.42	Shark, Dogfish	\$ 0.90
Rays	\$0.31	Sawfish	\$ 0.20
Oilfish	\$0.75	Shark, White	\$ 0.43
Barracuda	\$0.29	Grouper, Yellowmouth	\$ 1.83
SeaBass, Atlantic	\$0.89	Hind, Red	\$ 1.29
Porgy, Red	\$0.86	Moonfish	\$ 0.08
Shark, Soupfin	\$0.30	Marlin, Black	\$ 0.94
Permit	\$0.90	Sardine, Pacific	\$ 0.28
Grouper, Nassau	\$1.24	Eel, Conger	\$ 0.43
Spadefish	\$0.20	Blackfish, Sacramento	\$ 0.29
Filefish	\$0.20	Wenchman	\$ 0.44
Eel, Moray	\$1.00	Sturgeon, Green	\$ 0.43
Snapper, Mutton	\$0.35		

At Thursday's meeting Col. Winton Vidrine gave the Law Enforcement Report. Col. Vidrine reported the total cases made in the following regions:

Region I - Minden - 75 cases
Region II - Monroe - 94 cases
Region III - Alexandria - 62 cases
Region IV - Ferriday - 30 cases
Region V - Lake Charles - 218 cases
Region VI - Opelousas - 205 cases

Region VII - Baton Rouge - 113 cases
Region VIII - New Orleans - 713 cases

There was a total of 1,705 cases for September and for the month of September last year there were 1,474 cases, which is an increase of 231 cases. All of this increase comes from Region VIII reported Col. Vidrine. Discussion ensued among the Commissioners and Col. Vidrine on seizure of boats. Mr. Jessie Fontenot, member of the audience, advised that more agents were needed in his area and that personnel on Atchafalaya Delta are not doing their duty.

At Thursday's meeting Ms. Bettie Baker gave an update on the Ducks Unlimited Contribution. Ms. Baker reported that she wanted to apprise the Commission of some changes that the department has been working through with the Ducks Unlimited people. Ten percent of the departments hunting licenses are to be set aside for Ducks Unlimited. In the last couple of year this has been a great burden to the department and last year they were paid \$362,000. Of this money, DU spent \$100,000 on the North American Waterfowl Management Plan. Working with Butch Bateman, Tommy Prickett, Kell McInnis and the people with DU the department has tried to come forward with a rational plan so that there is stability in the budgetary process of what the department knows they are going to be obligated to pay to DU in the upcoming year. A payment of \$300,000 has been negotiated for starters of which DU will take \$100,000 and contribute to the North American Waterfowl Management Plan and this will mitigate the ten percent obligation. This will save the department approximately \$40,000 this year. If the ten percent obligation is less than the \$300,000 the department will pay the ten percent and DU will get their base \$200,000 and North American Waterfowl Plan will get up to \$100,000, whatever the differential increment is concluded Ms. Baker. Secretary Van Sickle added that the reason this is brought to the Commission is according to the state law that provides the ten percent to DU, that ten percent is given unless the Commission decides to do otherwise. After a brief discussion on the contribution to DU Ms. Baker asked the Commission for ratification of maximum payment of \$300,000 to Ducks Unlimited unless ten percent of license sales are less than that then they would get the ten percent up to \$300,000. Mr. Palmisano made motion to adopt, seconded by Mr. Jenkins. Passed unanimously.

At Thursday's meeting Secretary Van Sickle gave her report to the Commission. Secretary Van Sickle reported that Mr. Tommy Prickett has been promoted to Assistant Chief of the Game Division which was previously held by Mr. J.B. Kidd who retired after thirty seven years. There are not two new entities that the Commission will be dealing with. The first is that the Governor and the department have committed to working with the crab industry to address their problems. There will be a Crab Task Force that will convene within the next three or four months. The second group was just formed by the Governor last week and they are called the Governor's Task Force on Land Acquisition. The Governor will be

willing to work with the department and the legislature on perhaps setting up a fund or putting some money into the department's Natural Heritage Trust. The Heritage Trust does not just include money for direct land acquisition but it also includes twenty percent maximum for management of the land. The membership is being worked on and it has been recommended to the Governor that the Nature Conservancy chair it with Nancy Craig being the representative. Other members of the task force include the Wildlife Federation, Sierra Club, Chairman of the House Natural Resources, Chairman of Senate Natural Resources Committee, Skipper Dickson as At-Large-Member from north Louisiana, and two member of the Wildlife and Fisheries Commission (Dr. Hines and Bert Jones), There will be about fifteen members serving on this task force. The Governor is going to add two more House and Senate members because whatever this task force comes up with prior to the 1990 Legislative Session, will likely require legislation. If the Governor is going to transfer a certain so many of millions of dollars to the department for and acquisition he cannot do this alone, the Legislature have to do this through the budgetary process. The task force is going to actually make a recommendation on the long range plans for land acquisition and not just in light of this surplus that is in the government right now. The New Orleans building has been mentioned as something else that is worth millions of dollars and Secretary Van Sickle told the Governor of the Commission's interest in taking the New Orleans building sale and putting that money into land acquisition. Hopefully between now and April there will be a long range plan for land acquisition that will have a high profile of both the Commission and the Conservation Community involved. Secretary Van Sickle asked if anyone had any questions. Mr. Jenkins asked that the money that will be set aside if certain portion of this will be for land acquisitions on behalf of Wildlife and Fisheries. Secretary Van Sickle answered it will 100 percent for Wildlife and Fisheries. If it goes to the Natural Heritage Trust Fund this is a fund that the department controls. Specifically in the executive order creating the task force it says the department of Wildlife and Fisheries and their Commission will be responsible for picking the land, etc. Mr. Pol asked if the building in New Orleans had anything to do with this. Secretary Van Sickle stated it could. The Legislature has total authority on what to do with the department's building. Mr. Pol stated that all he wanted to see is that the department does not swamp the building off for nothing. He does not want the buildings to be part of the negotiations for that which will be set aside to do what other administrations have done.

Ms. Bettsie Baker gave an update on the New Orleans building. Ms. Baker reported that at Secretary Van Sickle's request she has not contracted yet for the appraisal on the New Orleans building. She believes there will be a point in time where this will be appropriate but would like to see the task force get in place and then get an assessment of what the value is. Mr. Pol asked why we

couldn't still get the appraisal, the Commission wanted one and why should this be stopped. Ms. Baker stated that since there was not a budget line in the budget for professional services that she will have to go to the division of administration. Mr. Pol stated he cannot understand why isn't this being done when the Commission asked to have it done.

Sécretary Van Sickle and Ms. Baker stated it will be done but they may turn it down at division of administration because of all politics of everything. Mr. Pol stated that he is firmly convinced that the department is going to lose the building but he would like to know before it is lost how much it is worth. Ms. Baker will proceed with the request to the division of administration for approval of an appraisal on the New Orleans building.

Mr. Dale Vinet asked Secretary Van Sickle what was the letter they had received about the person who was going to sue if the oyster leases are not put up for bid. Secretary Van Sickle informed the Commissioners that the department has received a notice from an attorney (Mary Olive Pierson) in Baton Rouge and has given the department thirty days to change the manner in which oyster leases originated or sue the Commission and try to get a court order to make all of the oyster leases null and void because they have not been publicly bid. This was received day before yesterday, copies were sent to the Commissioners and a copy to Don Puckett. Discussion ensued among the Commissioners and Mr. Puckett on this matter.

The date for the December Commission meeting were set for December 14th and 15th at the Royal Orleans. The meeting will be held in New Orleans, Louisiana.

Chairman Hines advised the Commission that they will meet in the morning at 9:00 a.m. to discuss Attorney Mary Oliver Pierson's letter to the Commission concerning public bids for oyster leases and other business that might be brought up at that time.

Mr. Jenkins commented that from time to time the Commission could use the advice of the department's counsel at the Commission meetings. Mr. Jenkins requested that at least one of the attorneys for the department and Commission attend the Commission meeting. Mr. Don Puckett informed Mr. Jenkins that Secretary Van Sickle and he had discussed this and had resolved for this to be done.

Mr. Dunn informed the Commission that Tennessee for twenty four years has been home to the Southeastern Outdoor Press Association and is now moving to Louisiana to be located at Zwolle, on the lake and would like Louisiana to be on their Host schedule.

Mr. Pol made a motion for adjournment, seconded by Mr. Jenkins. Passed unanimously

On Friday, October 6, 1989, Chairman Hines called the meeting of the Louisiana Wildlife and Fisheries Commission to order at North Toledo Bend, Louisiana State Park, Zwolle, Louisiana. Six members present and a quorum.

Chairman Hines stated that the only item on the agenda is a discussion of communication from attorney Mary Oliver Pierson concerning the public bid for oyster leases. Chairman Hines recommended that the Commission go into executive session with the department's attorney to discuss this issue, since it is a legal matter, for approximately fifteen minutes. Mr. Palmisano made a motion that the Commission go into executive session with the department's attorney to discuss this legal matter. Seconded by Mr. Jenkins. Passed unanimously

Chairman Hines reconvened the meeting of the Louisiana Wildlife and Fisheries Commission. The Commission met in executive session in which they discussed a letter from attorney Mary Olive Pierson in which she made a request to the Commission that within the next thirty days from the receipt of her letter that procedures begin within the department or through the Legislature to change the procedures from granting oyster leases to a public bid process and that if the department did not comply with this request she intended to follow suit for declaratory judgement asking that the procedure used at the present time be declared unconstitutional and that all current leases be declare null and void. With the advise of legal counsel there is a consensus that the Commission request the Secretary confer with the House Natural Resources Committee and other appropriate branches of government on the feasibility of beginning procedures for granting oyster leases on a public bid process. Mr. Palmisano moved that the Commission direct the Secretary to contact the appropriate governmental agencies to begin proceedings and seconded by Mr. Vinet. Passed unanimously

Chairman Hines informed the Commission that there was one other item of business that needed to be covered. The Commission has a request from Mr. Rink, who has lost fifteen alligator tags, that the department issue him some duplicate tags. Chairman Hines asked Mr. Johnnie Tarver for his recommendation. Mr. Tarver commented that Mr. Rink lost fifteen tags and it was a legitimate lose, but the department has a regulation that the Commission passed which states "lost or stolen tags shall not be replaced" which really give the department no choice in the matter. It is Mr. Tarver's recommendation that no more tags be issued to Mr. Rink according to the department's regulation. Mr. Palmisano requested that Mr. Rink be notified of this regulation and why he cannot be issued duplicate tags. Mr. Tarver will call Mr. Rink and notify him of the decision. A letter will follow from Secretary Van Sickle stating the Commission really had no choice in the matter.

At this time Chairman Hines introduced the member of the Texas Park and Wildlife Commission: Mr. Chuck Nash, Chairman, Mr. Peter Beck, Mr. Delo Caspary, Mr. Dickie Travis, Department's Executive Director, Mr. Gary Matlock, Director-Fisheries Division, Mr. Chester Burdick, Law Enforcement Division, Mr. Larry Willowford, Mr. Jerry McRay and Mr. Maurice from the Arkansas Commission.

Motion was made by Mr. Jenkins for adjournment of Commission meeting, seconded by Mr. Pol. Passed unanimously. Upon adjournment of the Louisiana Wildlife and Fisheries Commission meeting the joint Commission meeting between Texas and Louisiana convened.

Virginia Van Sickle
Virginia Van Sickle
Secretary

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
TEXAS PARKS AND WILDLIFE COMMISSION

JOINT COMMISSION MEETING

OCTOBER 6, 1989

DON HINES, CHAIRMAN, LOUISIANA
CHUCK NASH, CHAIRMAN, TEXAS

NORTH TOLEDO BEND, LOUISIANA STATE PARK

AGENDA
TEXAS PARKS AND WILDLIFE COMMISSION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NORTH TOLEDO BEND, LOUISIANA STATE PARK
OCTOBER 6, 1989

	Page
1. Compatibility of Fishing Regulations in Common Boundary Waters.....	1
2. Saltwater Fisheries, (TEDS, Red Fish, Trout).....	2
3. Toledo Bend - Marking off Boat Roads and Removal of Obstructions.....	5
4. Licensing Changes Affecting Non-Resident Texas and Louisiana Hunters.....	7
5. Waterfowl Regulations.....	9
6. Other Business.....	10

MINUTES OF MEETING OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
AND
TEXAS PARKS AND WILDLIFE COMMISSION

OCTOBER 6, 1989

Chairman Don Hines called to order the joint meeting of the Texas Parks and Wildlife Commission and the Louisiana Wildlife and Fisheries Commission.

Members of the Texas Commission attending were:

Chuck Nash, Chairman
Peter Beck
Delo Caspary

Members of the Louisiana Commission attending were:

Don Hines, Chairman,
James Jenkins, Jr.
Norman McCall
Joe Palmisano
Warren Pol
Dale Vinet

Chairman Hines welcomed Chairman Nash and the others from Texas and asked if he wanted to say a few words. Chairman Nash stated it was certainly their privilege to be at the meeting and hopefully in the spring they can have a joint meeting on the Texas side.

The Commissions then took up the first item on the agenda. Drs. Gary Matlock and Jerry Clark discussed "Compatibility of Fishing Regulations in Common Boundary Waters". Dr. Matlock, Director-Fisheries Division, Texas, addressed a couple of points that have developed over the last two or three years that have led to some very fruitful results. The first of which is the compatibility of regulations on largemouth bass and crappie in particular on both the Texas and Louisiana sides of Toledo Bend, Caddo Lake, and Sabine River. Texas was successful through the efforts of the Louisiana staff about two years ago at getting regulations that were consistent. The result of that agreement to have consistency in the regulations also included the development of a study to determine the effects of that consistency on both the fishermen and the populations of fish. Texas is into that study and very much into collecting data on what the fishermen are doing. Have aerial survey work, survey fishermen at boat ramps and out on the lake itself and sampling populations on the lake. The results of these efforts should be forthcoming within the next year or so and hopefully they will indicate some real benefits of having regulations that are consistent and compatibility between the two

areas. If nothing else these regulations have done one thing for sure and that is to reduce confusion and enhance enforcement of the regulations. The prohibition of spear gunning for bass in Toledo Bend is consistent with the approach that has been taken in Texas for some time. In the saltwater area there is still a little ways to go in for the two states, however, there is a tremendous effort going on through the Gulf Council, Secretary Van Sickle's participation and her designee to try and make sure that regulations are consistent, not only in Texas and Louisiana but through the Gulf as well. Dr. Matlock concluded that there is a lot of progress being made and it is very rewarding to see it and hopefully the results of this effort will pan out and fisheries being improved over long term.

Dr. Jerry Clark commented that he would just like to reiterate what Dr. Matlock said about the two states working better together now than they ever have been before. Dr. Clark advised that Louisiana is about to complete a largemouth bass plan and believes that this plan is probably going to take the state further down the road as far as management measures in Louisiana and may be moving more towards the direction of the kinds of regulations that are in Texas. It may be possible in the next year or so that Louisiana might be having regulations as compatible on Caddo and Toledo Bend as Texas' statewide regulations. In the saltwater area Louisiana is trying to catch up. The Commission yesterday passed the mackerel limits that Texas passed several years ago at the request of the Gulf of Mexico Fishery Management Council. Dr. Clark concluded that he thinks the states are working better together than they ever have and also believes it is to the benefit of the resource and to the citizens of both state.

Chairman Hines asked if anyone would like to make a statement. Chairman Nash stated that he knew through Dr. Clark's encouragement Louisiana is getting into the freshwater effort and this has been a tremendous financial impact on Texas and he encourages Louisiana to continue. Mr. Jenkins asked about game fish in Texas on red fish and speckled trout and how long they have had it and what kind of results it proved from a resource standpoint and a financial impact for the state. Dr. Matlock answered that for both species it has been beneficial and has helped the resource, has helped the fishery as a whole, has had a positive economic impact on the state overall although there are some pluses and minuses with each of those. The prohibition of sale of both red drum and spotted seatrout was done in September of 1981 and populations have generally responded by increasing in number. In addition to the prohibition of sale, however, there were some other regulations that were passed at the same time that included some size and bag limit changes and impositions. These have since been addressed additionally as a result of some natural events and the additional protection afforded these species as a result of these changes has simply added to the benefits that have occurred prohibiting sale. Last year, September of 1988, the Commission also prohibited the

use of nets for taking any fish in Texas saltwater except for purse seines for taking menhaden and the result of this has been to reduce the incidental legal catch that was killing both red drum and spotted seatrout as well as reduce the directed illegal fishery. The amount of illegal nets confiscated by Enforcement Division has been positive. There has been a reduction in illegal netting so the impact of activities that were not directed legally at taking both species has been reduced. The result has been that there is more fish for people to catch and more fish available for them to catch more than once so the recreational side the experience of catching these two species has been increased if for no other reason than simply the same fish is available more than one time. The result in this has been an increase in recreational fishing activity. The commercial finfish fishery has been affected and there has been a reduction in the amount of value in the landings but this has been more than off set by the increase in recreational activity in value that has occurred on the coast. Mr. Jenkins asked if a figure or ratio could be quoted on the economic benefit increase. Dr. Matlock stated he could send it to Mr. Jenkins but does not off the top of his head exactly what it was, but would be in the millions. Mr Jenkins asked if Dr. Matlock had any data or information about the by catch from legal netting of the red drum and spotted seatrout. Dr. Matlock answered that the proportion of the total mortality for red drum was on the order of about nine to twelve percent of the total mortality that occurs for this fish. For spotted seatrout it is in the neighborhood of about six to eleven percent.

Mr. Peter Beck informed the Commission that Dr. Matlock brought a recommendation to the Texas Commission several months ago to limit the taking of shark in Texas waters. The Commission looked at the whole situation and felt that it was certainly a sensitive situation and one that needed looking at but they felt because the rest of the states were really allowing unlimited taking of shark that Texas was not really prepared at that point to limit this as tightly as Dr. Matlock was suggesting. Consequently it was limited but not to the extent that was recommended. The limit is five. At some point it was recognized among the Texas Commissioners that the states would have to get together and figure out where to go with this and how bad the situation was. The states were all going to have to pretty much have to agree and probably go through the Gulf Council to see how this will be done. Mr. Beck would like to hear a little bit from both of the experts on how bad this situation is and find out how quickly the states need to move on this.

Dr. Clark briefed the Commissioners on where the Gulf Council is with respect to this issue and how it got there. About a year ago the National Marine Fishery Service staff became concerned about the situations with sharks. In the last five years shark landings in Florida went from nothing to four million pounds and then dropped back to two million pounds in two years. Sharks

landings went from essentially nothing in Louisiana to eight million pounds last year. This kind of dramatic increase in landings have gotten everybody attention. The other thing that got their attention is the fact that these animals are probably next to mammals of all the animals that swim in the sea the least likely to take a harvest pressure of any sort. They have as few as one pup every other year to maybe several dozen on an annual basis but if you compare this to the millions and millions of eggs laid by a red fish in a single year you will understand the kind of difficulty the shark will have to support a harvest. All of this information was brought to the Gulf Council about a year and a half ago for them to look at. It so concerned them at that meeting that there was discussion of trying to put an emergency moratorium on all harvest of shark in the Gulf of Mexico in the EEZ. This did not happen but at the meeting they began the process of putting together a Shark Management Plan. This plan was moving so slowly that the Council asked the Secretary of Commerce to write a Shark Management Plan and as Dr. Clark understands it the last update received this plan is scheduled for being released and perhaps implemented in May of this coming year. The states are not very far from having a document that can be reviewed and Dr. Clark believes it is appropriate that the staffs of the different states start working now thinking about this document because it will be the first chance for the gulf states to get involved. At least as Dr. Clark is concerned this is the approach he would like to take in Louisiana. There is just so little information available on this species other than the landings that for any one state to try and put it all together just would not make any sense. A draft of the shark plan might be available in the next month or two for review with implementation as early as May concluded Dr. Clark.

Dr. Matlock commented that the approach that is being taken is the one to take and that is to let the states try to do what they can on this issue but in addition to this the Gulf Council has responded to a request from Texas to adopt the same bag limit (five fish) for everyone fishing in federal waters off Texas. They adopted this recommendation and are recommending that emergency procedures be taken by the U.S. Secretary of Commerce even before the shark plan is done which would be in place for six months. This recommendation passed the council as a result of Secretary Van Sickle voting for it. Secretary Van Sickle was the swing vote to get this in place. This applies only to the federal waters off Texas stated Dr. Matlock.

Mr. McCall asked about the movement in the Gulf on Tuna. A large number of ex-oil company boats were fishing for tuna but a lot of them after about six months, etc. dropped by the wayside. There are still a number of ex-oil company boats fishing tuna and Mr. McCall asked if there were any reports or data on how much tuna is being brought in or any other information on the tuna industry in the Gulf of Mexico.

Dr. Clark stated that if he remembers right, but don't quote him on it, Louisiana has done almost the same in tuna in the last couple of years as sharks, landings have increased dramatically. This is also interesting as it relates to the shark issue because whenever you put a long line in the Gulf of Mexico you usually catch sharks also and many sharks are taken and killed on these long lines and discarded and never reach shore and are not counted. Dr. Clark stated that there is data on tuna and he will certainly get it for the Commissioners. Secretary Van Sickle advised that the United States or the Gulf Council regulate tuna. Every time the Gulf Council starts getting into tuna for a regulatory respective the State Department gets involved because it is an international issue and even if there is a problem with tuna, which there is especially with the bluefin and yellowfin, neither the Gulf Council nor the Commission has any authority over tuna. There is nothing that can be done until Congress grants the authority to the Fishery Management Councils for regulating tuna.

There be no further discussion on fishing regulations Chairman Hines called on Mr. Gary Tilyou for discussion of marking off boat roads and removal of obstructions on Toledo Bend. Mr. Tilyou informed the Commissioners that as discussed at the last Commission meeting Wallop-Breaux projects were picked and one of the project selected this year was marking boat lanes and clearing out the boat lanes in Toledo Bend. The Louisiana side of the Sabine Authority requested five hundred thousand dollars initially to do this project. They estimated to do this project correctly would cost between two and three million dollars. There is a cap of one hundred and forty two thousand dollars on any Wallop-Breaux project. Representatives of the Sabine River Authority are drawing up a plan of what to do with the original one hundred and forty two thousand dollars. They had a master plan but it is hard to get someone in to start clearing the boat lanes with just the one hundred and forty two thousand dollars. What they are working on right now is a plan to get permanent pilings driven in and possibly some very temporary markers from the bridge up to Logan's Point. This is needed in Toledo Bend and the department is hoping it can do this project and possibly others.

Mr. Cal Boland with the Toledo Bend Lake Association addressed the Commissioners. Mr. Boland is familiar with what Louisiana is doing and the Sabine River Authority does have a plan and the money is there. They have scaled down their estimate on how much this will cost because they found that they are going to get some help from sources that they did not have before. They are going to build a boat lane from the dam to Logan's Point. They have found, by aerial photos, that there is a tremendous amount of boat lanes that were cut before the lake was ever built. What they have got to do now is connect those lanes and it won't take as long or as much as they originally thought. Then they are going to clear those portions of these boat lanes that need clearing and will have to mark them temporarily while the lake is low. They are then

going to drive permanent wooden pilings which can be done after the water comes back up. The temporary markers should be in place within three weeks. This is the first years project and Mr. Boland believes that the money they have will take care of the first year project. The second year the plan is to go east and west off of the main boat lane into marinas and highly populated areas. This is where it is hoped that the Texas people will try and do the same thing on their side. The third and fourth year, whatever it takes, they want to come back and permanently make the river channel. This will be the major operation and this again it is hoped will be a joint operation with the Texas people because it involves both sides concluded Mr. Boland. This is something that the Parks Division and Fisheries Division of the Texas Department would have to look at. Texas has been has had experience in clearing boat lanes in Caddo Lake. Commissioner Nash as Mr. Travis to make a note so that Texas can coordinate back with Louisiana.

Mr. Dunn commented since Toledo Bend Reservoir is considered by the Federal government as a navigable waterway it does come under United States Coast Guard jurisdiction he does hope that someone is taking into account that there is a specified inland waterway marking system that the Department of Transportation, U.S. Coast Guard requires to be complied with. He suggested that the Marine Safety Office, located in Galveston, Texas, approve the marking system is being constructed so that the states do not have to go back later and spend a lot of money trying to meet the federal specifications. Mr. Gary Tilyou stated that in the original application all the Coast Guard requirements were met and when it is redone again this will be taken into consideration. The Coast Guard will probably be involved and will look at the final plans. The Sabine River Authority is the third party in this particular Wallop-Breaux project, the department is going to supply the funding but the Sabine River Authority is going to do all the contracting, etc. DOTD has already drawn up a lot of the engineering work commented Mr. Tilyou. Mr. McCall asked if the Coast Guard was now patrolling the waterways. Mr. Dunn answered they do not man the lake. They did have a station on Toledo Bend in approximately 1973 which was located on the Texas side near the bridge. They left the area due to a lack of funds. On the Louisiana side for a while State Police did have a water patrol but it has diminished. The Coast Guard does not enforce anything on the lake because they do not have a team but have threatened on occasions to send a team in due to negligent on the part of a professional guide on the lake for carrying passengers for hire without a charter license and a warning was issued to the public approximately three or four years ago in this regard, so they do have an interest on the lake.

Mr. Dunn continued and advised that on September 13 he attended a meeting of the Sabine River Authority Environmental and Forest Committee. At this meeting there was a quorum so they could not make a decision but they did have an open discussion where at

the shoreline managers of the Sabine River Authority Louisiana side brought out a number of points, one of which that there are 331 oil and gas wells underneath the lake. Those 331 oil and gas wells exact location are unknown and their condition was stated to be unknown but they do know that some have been plugged, capped and some have not. It was stated that many of these oil wells have only manual valves holding back an oil spill and if something was not done quickly we could have an ecological disaster on the lake. This would not only be on the lake but there are some very sensitive ecosystem down the Sabine River with refuges and the impact could be devastating. Mr. Dunn is trying to get in touch with a petroleum engineer to find out what the damage would be should one of the wells break loose and what the potential is. Mr. Dunn requested that Texas and Louisiana recognize this has been brought up as an issue and it needs looking and in addition to this it was stated by the lake engineer (Louisiana) that the original shoreline survey establishing the lease fact on Toledo Bend was in error in that the individuals running the survey did not use proper procedures to conduct the survey. Subsequently population ingress caused a large number of homes to be built on lease site thinking it was private land because it was not marked. As a result of the flooding this past spring Mr. Dunn was informed by the Acting Executive Director Mr. Hayes at that meeting that they had begun a plan to identify a violation of individuals living on that lease fact and polluting the lake. They have found four hundred on the Louisiana side. The shoreline management officer stated that if something is not done quickly the reservoir will be lost due to pollution. Mr. Dunn stated that he has written to Dr. Templet, DEQ, telling him about the potential disaster and requesting their help. It was also stated at the same meeting that repeated request to DEQ and to the health departments resulted in negative results and no response concluded Mr. Dunn.

Ms. Mary Ridgeshaw commented that she was at the same meeting as Mr. Dunn and she asked the Environment Committee if they would consider appointing an ad hoc committee to review the five year plan of the boat lanes, etc. before it was final. She was told since there was no quorum nothing could be done. Ms. Ridgeshaw thinks that there is a very negative attitude towards the lake which is not healthy.

Mr. Pol asked who made up the Sabine River Authority. Mr. Dunn answered the members are from Calcasieu, Sabine, Desoto and Vernon parishes. They are appointed by the Governor to serve at his pleasure. Mr. Pol stated that he believed that the Sabine River Authority is the authority that should receive these complaints. Mr. Dunn stated they have received the complaints but they are not doing anything about it.

The next item discussed to be discussed was the licensing changes affecting non-resident Texas and Louisiana hunters. Secretary Van Sickle advised of the following changes in the

Louisiana State law that affect non-residents coming from Texas to Louisiana to hunt. These changes are:

Louisiana has abolished the reciprocal license agreement provisions of state law and there is no longer a reciprocal license agreement for Texas hunters to come to Louisiana. Louisiana no longer has the authority anymore to charge a Texas hunter what a Louisiana is charged in Texas. As a result of this Louisiana will generate about \$100,000 more this year from non-resident license in general, hunting and fishing. The basic non-resident hunting license for the whole season is \$75.50 plus big game is \$40.50 totalling \$116 for a non-resident hunter. Louisiana hunters are still complaining about the Texas big game license being so high.

Waterfowlers from Texas will pay only the basic \$75.50 plus a state duck stamp in addition to the federal duck stamp.

Regarding fishing Louisiana has a new trip license for non-residents that is \$8.00 for a two day trip.

Louisiana has doubled the fee for the non-resident commercial fishing license. Instead of paying \$50 non-residents will now pay \$100.

The Louisiana legislature has created a new license for oyster harvesters that is \$100 per individual and the non-resident charge is \$400 per individual. If a person is caught fishing in a polluted area they will loose their license up to three years. Louisiana is roughly twenty percent lower than the southeastern region average even though the license fees in general did go up.

Mr. Travis informed the group of the following Texas licenses:

Non-resident hunting license is \$200 which enables the bearer to hunt deer and turkey. There were 12,878 sold last year and 45 percent sold were to Louisiana citizens. This is a seasonal license.

Non-resident special hunting is a small game license and for season cost \$75. There were 1,852 sold last year.

Non-resident five day special which is \$25. This license usually is bought for waterfowl hunting. There were 15,400 sold last year.

Out of 30,000 licenses that were sold to non-residents 33.7 percent individuals came from the state of Louisiana. As far as the future is concerned there are no plan anticipated for a fee increase on any of the hunting non-resident license. There has been some discussion trying to get ready for the session in 1991

to maybe come in and create a five day non-resident license that would entitle the individual to harvest does and turkey and will cost about \$100. Texas also got out of the reciprocal agreement business a number of years ago.

Chairman Nash stated that Texas is also having their oyster problems and Dr. Matlock is trying to get information about the number of oysters that are harvested on private leases versus commercial open waters. Secretary Van Sickle stated that the department does not keep tract of landings based upon whether it was private or state grounds. Chairman Nash advised that Texas has adopted an oyster plan recently and as an advisory committee. A shrimp plan will probably be adopted in November and also have a advisory committee. Texas is rapidly moving into limited entry. Secretary Van Sickle advise that Louisiana has a Oyster Task Force, Shrimp Task Force, Finfish Task Force and one on Crabs is being developed. Everyone of these groups has requested that one of their goals be the limited entry for fisheries. Mr. Vinet commented that he would like to see Texas and Louisiana work together as far as having laws that coincide whereas they would better the Texas and Louisiana coasts.

The bass populations in Toledo Bend were brought to the attention of the Commissioners and discussed. Dr. Clark advised the group that the 400,000 bass that Texas has committed to stocking is almost equal to the entire output of the Louisiana hatchery system for the entire state. Louisiana is going to put in this years budget monies for a state hatchery which will be the first complete state hatchery build since the 1920s' in Louisiana.

The waterfowl regulations were next to be addressed. Secretary Van Sickle stated that would like to have the Texas Commissioners discuss what they would like to see in regulation changes. Chairman Nash stated that if California is going to hold up and say that their birds do not migrate and they are able to kill four, which is highly questionable, he certainly thinks with the wood duck situation it should be included in Texas bag. This has fallen on deaf ear but maybe with Mr. Turner who is the new director of the USFWS a fresh start may be obtained. Chairman Nash's point of having this issue on the agenda was maybe locking arms with Louisiana and going forward and bring a common voice to the USFWS.


It was suggested that it may need to be a two prong approach. If Texas and Louisiana could prove to the federal government, perhaps jointly, that they are doing everything they can to promote the hatching process for the wood duck and at the same time ask for that extra duck. There is a new wood duck box on the market that is put out by International Paper Company, is biodegradable and in two years decomposes, and very inexpensive. Just nail it to a tree and walk away, the box does not become a death trap if it is not maintained. Chairman Hines advised that a top priority with Louisiana on waterfowl was the special teal season. A three day

season would have a lot of advantages and very few disadvantages. It would sell more licenses, get more people to improve the habitat, and would be beneficial in fund raising since it comes before the Ducks Unlimited fund raisers. This has been mentioned to the USFWS and Director Turner said he would take it into consideration for next year. Texas is in agreement with the teal season and plans on asking for six days.

The problem of a non-resident buying a non-resident fishing license either in Texas or Louisiana to fish in Toledo Bend Lake was briefly discussed. Texas would like to see that when a license is sold to anyone from either Texas or Louisiana that person could fish anywhere in the lake. Texas is going to find out if they have the power to do this as a Commission and if not they are going to their legislature.

Chairman Nash stated that they appreciate the opportunity for this meeting and look forward to having Louisiana come to Texas in the spring in San Marcos, Texas. Chairman Hines commented that it has been their pleasure to host the meeting and hope to host some more in the future.

Mr. Jenkins moved for adjournment of the joint commission meeting and seconded by Mr. Palmisano. Passed unanimously.


Virginia Van Sickle
Secretary

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

ADJUDICATORY HEARING

APPEAL OF RESCISSION OF LOUISIANA NATURAL AND SCENIC RIVERS
CLASS B USE PERMIT NO. 240 - UNION OIL AND GAS DIVISION
UNOCAL CORPORATION

OCTOBER 5, 1989

DON HINES
CHAIRMAN

Minutes of Adjudicatory Hearing
North Toledo Bend, Louisiana State Park
October 5, 1989

Chairman Don Hines presideing.

Commissioners in attendance:

James Jenkins, Jr.
Norman McCall
Joe Palmisano
Warren Pol

Secretary Virginia Van Sickle was also present.

Chairman Don Hines called to order the Appeal Hearing before the Louisiana Wildlife and Fisheries Commission on Rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 240 and Denial of Permit Application by Ms. Virginia Van Sickle as Administrator fo the Louisiana Natural and Scenic Rivers System. Union Exploration Partners, Ltd. asked to appear before the Commission on this issue. Chairman Hines then turned the meeting over to Mike Landrum, Attorney, Louisiana Department of Wildlife and Fisheries Commission, for initial comments.

Mr. Landrum explained that this matter was on the regular agenda of the Commission, however, it is not a public hearing but will be handled procedurally like one. This is an adjudicatory hearing and the Commission will be sitting as a Board of Review. The permittee, Union Oil, is appealing an administrative decision made by the department. By situplation with the other side, the other side has agreed to the procedures and the Commission was

requested to take this up procedurally in this posture primarily because this is an unusual situation commented Mr. Landrum. A permit had been issued, in this case, by the department and it was subsequently revoked as opposed to the department not granting a permit in the first place. Because the department had already issued a permit and because the permittee was running into some time problems a request to the Commission was made to take it up directly as opposed to having a administrative hearing at the department then coming to the Commission. Mr. Fritz Spencer will present Union's presentation and Mr. Blue Watson will give information on the departments' half.

Chairman Hines asked Mr. Landrum if the Commission should act on this at the end of the presentation or should it be taken under advisement and acted upon it at the regular Commission meeting? Mr. Landrum answered that he thought a decision could be rendered at any time and certainly could see no reason the Commission could not proceed this way but has one stipulation for the record and that is that the attorneys for Union and the department have agreed to these procedures and no objections will be made hereafter regarding the procedures that are being used here today. Mr. Landrum then turned the hearing over to the Union representative.

At this point Mr. McCall asked to say something. For the past eighteen years he has been working indirectly with Union Oil Company for the past fifteen to eighteen years and also has two

cases being held by Lusco and Lewis at the present time. Mr. McCall has been advised that this might be a conflict so he will not be voting on this matter. Chairman Hines believes that the proper thing to do is to conduct the hearing and move that it be taken under advisement then when the regular Commission meeting is convened take it as the first item of business and act on it officially. This way it will be an official action of the Commission. At this time Mr. McCall can abstain and state reason.

At this point Mr. Fritz Spencer, Landman with Union Oil Company of California, addressed the Commission. Mr. Spencer will present appeal of the decision to rescind the Scenic Streams Permit which was issued on May 8, 1989 and rescinded ten days later on May 19, 1989. Mr. Spencer pointed out to the Commissioners the area that was being discussed. Union in mid 1988 received a demand to develop a portion of their lease zone, either drill the well or drop the acreage which is extreamlly valuable. Union's original proposal was to dredge a slip off the Superior Canal, approximately 2,500 feet. A meeting was held with all the agencies in Baton Rouge which was a preapplication and directional drilling meeting. Because of a bald eagle's nest and the length of the slip it was requested that the well be moved up onto Bayou Penchant. Union went forth with the permitting process and received the Scenic Stream Permit. The Scenic Streams Permit did have a number of conditions which were the following:

- 1) Union was required to have pollution booms on site for immediate deployment.
- 2) Union prohibited from discharging any drilling or work effluent.
- 3) Union would be required to use turbidity curtains to contain the turbid created during dredging activities.
- 4) Union would have to come up with a mitigation plan within 90 days of the permit and implement the approved plan within one year.
- 5) Upon abandonment a plug would be put across the entrance of the canal, which would be a solid shell core covered with a concert matted material, covered with soil and plants that are at the site location, herbaceous plants.

All these stipulations were agreed to by Union on May 17, 1988, and the next day the permit was rescinded Mr. Spencer informed the Commission. As near as Union can tell there was objection from the Baton Rouge Audubon Society, Terrebonne Bass Fisherman's Club and Mr. Gerald Lyons. It is Union's belief and contention that these organizations and individuals object to any drilling operations, dredging operations in this area. The

organizations and individuals probably were not aware that the original location was where it was and the amount of the marsh that would be affected and probably were not aware of the mitigation plan agreed to. Mr. Spencer pointed out that the original location would effect 16 acres of marshland, the location off Bayou Penchant would affect 3 acres while the possible third location would affect 7.8 acres. After the permit was rescinded Union went back and looked at this geologically and developed this third location, while is not at the optimum position but all of the objectives can be reached. Union went forth and permitted this third location and had a preapplication meeting and at this meeting all the state and federal agencies still wanted the Bayou Penchant location to be drilled. Consensus could not be reached so they asked the Wildlife and Fisheries representative to go back and discuss possibility of reissuing the Scenic Streams Permit for the Bayou Penchant location and get a feeling for this third location. August 3, Union found out that the permit would not be reissued and Administrator would object to the third location's length of canal and slip. They wanted Union to dredge only five hundred feet which would put them in a position where there was no way to get all the objectives in. Union at the time felt like they had to appeal; the Bayou Penchant location only affects 3 acres of marshland. This is the location that is preferred by Union's landowner, Fina Oil and Chemical Company because this minimizes the amount of marshland affected. At this time Mr. Spencer asked Mr. John Woodeard, of Fina, to make a brief statement as to this location.

Mr. Woodeard addressed the Commission and stated when this location was first proposed Fina Oil did visit with Union. Problems were discussed associated with this original location and it does dissect an area in half and there is some marsh management in this area. This original location would affect water circulation and have some long term adverse impact and would require a complete revamping of marsh management system. This area is leased to the public trappers, hunters, - fur trappers, alligator hunters on a first come first serve basis. At this particular Fina asked Union to be looking at some alternatives. Mr. Woodeard was at the agencies preapplication meeting and represented the landowner and also concurred that the Bayou Penchant location would be a better site. Mr. Woodeard thinks there were some very positive recommendations made at the preapplication meeting. After Union made their evaluation, they determined that it was economically feasible to drill from a certain point and reach their targets. In addition the safety standpoint would be accomplished. Fina Oil feels that the Bayou Penchant site is the better position in the environmental standpoint and apparently the agencies have confirmed that they can build the environmental conditions into the permits so there will be protection. An evaluation is required ahead of time, with monitoring required before, during and after the operation, and mitigation and restoration when it is finished. If this well is drilled in this place, the site could be made real scenic with the

dam along Bayou Penchant and with the rocks where the shells are could be a good spawning ground for bass and bream. Mr. Woodeard stated that he did see a copy of the rejection which was based on the revocation of the permit and it is almost a direct quote from the law or act of the Scenic Stream. There are a lot of other things in the act that allows the landowner the right to access his property, so what the rescission is saying is that we cannot have access to the property for some economic reason stated Mr. Woodeard. Fina Oil feels that all those things have to be considered and is here today to support Union in the appeal and hope that the Commission will rule in favor of the request.

Mr. Spencer commented that Union does not contend that this drilling and drilling operations in the area doesn't adversely affect the environment but should be done in a very good operation type procedure. Also Bayou Penchant alone there is an excess of forty canals that have been dredged to access oil and gas locations and on this map (showing lower Bayou Penchant area) alone there are over a hundred and thirty wells that have been drilled pointed out Mr. Spencer. This is not an unspoiled area and there has been oil and gas activities in this area. On this well, with all the mitigation, Union will spend close to four million dollars, and conservatively speaking if the objectives come in where they think they will the state will derive approximately two million dollars in servant taxes for this well. At the time the permit was rescinded Union was about to receive approval of all the necessary

state and federal agencies for drilling the well. The rescinding of this permit is basically the only thing that stands in the way of Union drilling the well. Union has obligations to their landowner and this well has got to be drilled and it has got to spud it by March 1st of next year which is a date that has been extended twice and Union does not feel they can extend it again. If not, Union is in a situation where they could possibly lose an extremely valuable lease. Union is requesting that the Commission order the Administrator of the Scenic Streams System to reissue the permit so that Union can forth and drill the well concluded Mr. Spencer.

Mr. M. B. Watson, Coordinator, Ecological Studies, Department of Wildlife and Fisheries, addressed the Commission. The department agrees with the sequence of events that have been related to the Commission and stipulates to most of the information that was presented by the oil company. Mr. Watson commented that he wanted to clarify what happened with the department with the other objections that came in after the permit was issued. The permit was issued during a period of transition in the department when our Scenic Rivers Administrator staff had been transferred over the Governor's Office and several documents that were received by the department were not in the file. The permit was issued based upon the information that was available and upon the information that was in the file at the time. When the permit was issued the department received a phone call from the Department of Cultural,

Recreation and Tourism requesting information as to why their comments and the comments of the Office of State Planning were not considered in the drafting of this permit. They were told as far as the department knew we had received no comments from Cultural, Recreation and Tourism or from the Office of State Planning. The department was then informed that two letters of comment had been sent to the department from Cultural, Recreation, Tourism and searching the files again no copies were found. The department requested from the Cultural, Recreation and Tourism that they supply copies of the letters that they had reported mailing to us. These comments were subsequently received and they were signed by Mr. Truxillo of the Cultural, Recreation and Tourism Department. These comments were dated well prior to the issuance of the permit but they were not received until after the permit was issued. This was brought to the attention of Secretary Van Sickle and was discussed and based on the comments dealing with the impacts on visual resources, wilderness quality, it was decided that it would be best to go ahead and send the company a letter rescinding the permit until these comments could be looked or until an appeal was made by the oil company where these comments could be considered. The comments that were received and some of the questions that the department has that was raised by the comments dealt with the area between Superior Canal and Lake Penchant. This area of Bayou Penchant has not been breached by canals coming into the marsh and the department is concerned that opening breaches into this area of marsh, which Mr. Woodward pointed out was under management and

is in relatively in good condition, would impair this. Another concern of the department in addition to breaching the bank of the scenic river and placing a well head in the proximity which would impact the scenic values and wilderness qualities, was that it would provide a conduit for water coming into the marsh which could cause further marsh breakup. With subsequent information that has been received by the department the marsh is fairly soft and that may or may not be an actuality depending on the mitigation actions could have been taken around the well. Therefore, the permit was suspended because of the comments that were received after the issuance of the permit and the applicant was notified that they had full rights to appeal this decision concluded Mr. Watson.

Secretary Van Sickle addressed the Commission. The Administration and Scenic Rivers Program has gone through a transition from having a law that did not have a lot of teeth in it to a law that has a lot of teeth in it commented Secretary Van Sickle. The department is doing inventories of every scenic river and doing management plans for those scenic rivers. Two people will be hired to work on the Scenic Program under Mr. Watson. Secretary Van Sickle defers to staff generally on everything regarding permits. When the red flag came up on this permit, Mr. Watson and Secretary Van Sickle sat down and looked at the project together. A video of the area was reviewed and there were some things that was of a "iffee" call because this particular scenic river is not of a pristine quality like a scenic river would be

pictured reading the act. The river has been abused in the past and south of the river itself there are numerous canals that have been dredged for oil and gas development. The river itself, the part that the department and the Commission is responsible for protecting and its banks had not been disrupted. There were alternatives, another mitigating circumstance was that if the department did not let them drill in one place that they were probably going to go to DNR (Department of Natural Resources) and get a permit to dredge a canal that would either be 2,500 feet long or 1,300 feet long that would destroy twice as much marsh (if you are just thinking about marsh) as would the area off the scenic river. DNR authority is totally separate and is through the Coastal Zone Management of 1978 and has no bearing on this whatsoever. As a result of the directional review meeting the applicant was encouraged to seek and one of the conditions of drilling in this area was that a Scenic Rivers Permit be obtained. It is hard to divorce yourself from the other things that are going on if you don't grant the permit but taking the strictest, most conservatist protectionist role for the scenic river was the role that Secretary Van Sickle decided to take. As a result of this the permit was rescinded and no work had to be undone, the company has not spent any money there. Secretary Van Sickle learned two days ago that the Scenic River Task Force has been meeting regularly and is recommending as part of the policies through the management of scenic rivers that no oil and gas development be allowed on the banks of a scenic river. The scenic qualities and the wilderness

qualitites of a scenic stream are impacted by the well head or a tank battery or flowlines and other pertinent structures that an oil and gas facility would entail. Secretary Van Sickle stated that she would hope that if the Commission does recommend that the permit be reexamined and issued with appropriate mitigation, just please keep in mind the policies implications for the future. Secretary Van Sickle state that if the Commission does decide to overrule the department's action on the permit and if the Commmission intends for it to effect future permits let her know now because she is going to continue along the same lines with scenic rivers. The only things that make it worthy of the department giving a little bit on this issue is the fact that this area has been intensively developed in the past and that the alternative would probably be granted by DNR to dredge the marsh which they don't have to do.

Mr. Jenkins asked Secretary Van Sickle who determines which rivers are scenic rivers. Secretary Van Sickle answered the legislature and asked Mr. Watson to explain the procedure of having a river put on the scenic rivers list.

Mr. Watson explained that the legislature nominates a scenic river through concurrent resolution which triggers a study by the Department of Wildlife and Fisheries based on the parameters that are laid out in the law to see if the river meets the criteria. A report is submitted to the legislature and at the next regular

session of the legislature they may or may not include the river by law.

It was brought to the attention of the Commissioners that when Bayou Penchant was made a scenic river it was just added as the result of some legislator putting it in and making it become part of the system.

Mr. Pol asked how many agencies have to approve the permits. Secretary Van Sickle answered only one for scenic rivers which is Wildlife and Fisheries which has the ultimate say so but have three agencies comment on to us and they are Culture, Recreation and Tourism, Office of State Planning and the Governor's Office. These agencies were asked to participate in this hearing today Secretary Van Sickle advised the audience

Chairman Hines asked several time if there was anyone in the audience who would like to add something further to the discussion concerning the appeal or anybody representing any other agency. The record shows that there was no one.

Mr. Spencer advised that they had brought a video of the area if the Commission would like to look at it and also they did consult with thirteen different agencies and are not trying to hold anything over anybodys head. The alternatives after the initial proposal was turned down Union was really told what to do and as

far as locating a well this close to a scenic stream Union would have been amenable to dredging further. The other agencies were just trying to keep the dredging to a minimum and as far as locating any kind of facilities none of this is anticipated and only the christmas tree would be there. All that Union has tried to do throughout the process is to see how the well could be drilled and how to still reach objectives in a manner that would be responsible from an environmental standpoint. When you have thirteen different agencies telling you what to do, if they don't agree, it is in fact just a defacto prohibition from drilling at all and the landowner, Union Oil are in the business of drilling wells. Access is needed from public acreage and it has to be done in a reasonable manner but other than that it is up to private enterprise to try and develop but subject to reasonable restrictions commented Mr. Spencer. Union feels like in this case they have run up against a prohibition.

At this point during the hearing the video was shown. Upon the conclusion of the video Chairman Hines asked if anyone else had any comments that they would like to make. Mr. Palmisano moved that the Commission take this under advisement and requested that the Commission take it up as the first item on the agenda of the regular Commission meeting. Seconded by Mr. Pol and passed. Chairman Hines closed the hearing.

At the Commission meeting the first item that was taken up was

the Appeal of the Decision of the Rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 240 - Union Oil and Gas Division, Unocal Corporation. Mr. Palmisano stated that after listening to both presentations and Secretary Van Sickle he would like to make a formal motion that the Commission directs Secretary Van Sickle, head of the permitting agency, to go ahead and issue the Class B Permit No. 240 in its original state along with additional mitigation and that being construction of shell islands adjacent to the bayou bank and each side of the canal openings and these shell islands are to be constructed on filter cloth with an earthen cover and on top of that cypress trees and oak trees to be planted on these islands and that the department and Secretary Van Sickle go ahead and work out the details as far as the mitigation is concerned with the width of the shell islands, and all with Union Oil in issuing the permit. Seconded by Mr. Pol. Mr. McCall stated that due to a possible conflict that he was going to abstain from voting. The record shows that Mr. Norman McCall is abstaining from voting on this issue to avoid any possible conflict of interest and let the record further show that Mr. Dale Vinet is present. Motion passed.

Secretary Van Sickle stated she would like to ask a question. This is for one single permit and would like to know what the Commission expects her to do with permits like this on other rivers because she is going to continue to deny them unless the Commission tells her now, unless they want to have oil and gas development on

scenic rivers. What is the bases for doing this so that she will have guidance in the future so that this does not happen again.

Mr. Palmisano commented that his motion was based on the fact that this general area has been developed in oil and gas in the past umteen years and over a hundred and thirty something wells are drilled within a couple of miles of the area. He cannot see holding back this location for that reason. Mr. Palmisano thinks that with the mitigation work that is going to be done it is actually going to enhance the area rather than take away from it. In this respect is why Mr. Palmisano moved to go ahead and reverse Secretary Van Sickle's decision. He feels that everybody on the Commission wants to protect the scenic value of all the rivers and streams and thinks that it has to be taken on a one on one bases and look at them (case by case). The Commission agreed.

RESOLUTION

Adopted by the
Louisiana Wildlife and Fisheries Commission
October 5, 1989 North Toledo Bend State Park
Zwolle, Louisiana

- WHEREAS, black drum landings increased significantly from 1984 - 1987, and
- WHEREAS, a preliminary stock assessment evaluation by scientists from both the Department of Wildlife and Fisheries and a number of Louisiana universities has indicated that the fishing mortality on black drum in Louisiana is higher than desirable, and
- WHEREAS, the joint black drum stock assessment group has concluded it is important to stabilize fishing mortality rates at a level which will maintain an age structure for black drum that would ensure a healthy fishery in the future, and
- WHEREAS, R.S. 56:326.1 provides the Louisiana Wildlife and Fisheries Commission may set size limits for all fresh and saltwater game fish and commercial fish, and
- WHEREAS, R.S. 56:326.3 provides the Louisiana Wildlife and Fisheries Commission may set quotas for all fresh and saltwater fish, and
- WHEREAS, R.S. 49:967 provides the Louisiana Wildlife and Fisheries Commission may employ the emergency provision of the Administrative Procedures Act (R.S. 49:953B) when setting Finfish size limits.

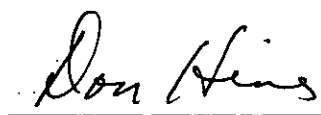
NOW THEREFORE BE IT RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby establish by Emergency Declaration for the recreational taking of black drum a minimum size limit of 14 inches total length and for the commercial taking of black drum a minimum size limit of 18 inches total length, and


BE IT FURTHER RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby establish for the commercial taking of black drum an interim quota of 300,000 fish, and

BE IT FURTHER RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby authorize the Secretary of the Louisiana Department of Wildlife and Fisheries to enact an emergency closure after seventy-two hours notice when the commercial harvest reaches 300,000 fish, and

BE IT FURTHER RESOLVED the Department proceed with the publication of a notice of intent for establishment of minimum sizes for the harvest of black drum, and

BE IT FURTHER RESOLVED the Finfish Panel established by the Department of Wildlife and Fisheries is requested to work with the Department to develop as soon as possible permanent rules and regulations for the safe harvest of black drum.


Don Hines, Chairman
LA Wildlife & Fisheries Commission


Virginia Van Sickle, Secretary
LA Dept. Wildlife & Fisheries

RESOLUTION

Oyster Harvesting Methods
adopted by the
Louisiana Wildlife and Fisheries Commission
October 5, 1989 North Toledo Bend State Park
Zwolle, Louisiana

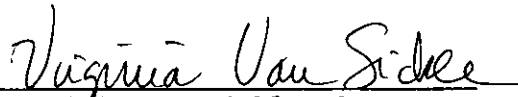
WHEREAS, the Wildlife and Fisheries Commission at it's August 4, 1989 meeting passed a rule prohibiting the use of water pumps to load oysters, and

WHEREAS, oyster restrictions passed by the Wildlife and Fisheries Commission will achieve the same conservation goal, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby rescinds its prohibition on the use of water pumps to load oyster on the Public Oyster Seed Grounds or Oyster Seed Reservations.



Dr. Donald Hines, Chairman
LA Wildlife & Fisheries Commission



Virginia Van Sickle, Secretary
LA Dept. of Wildlife & Fisheries

Resolution

Louisiana Wildlife and Fisheries Commission
Louisiana Department of Wildlife and Fisheries
October 7, 1989

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular meeting held at Toledo Bend Reservoir, October 7, 1989.

WHEREAS, it is the goal of the Louisiana Wildlife and Fisheries Commission and the Louisiana Department of Wildlife and Fisheries to provide areas for sportsmen to pursue hunting and fishing activities, and

WHEREAS, the Louisiana Department of Transportation and Development purchased 3,000 acres in Grant and LaSalle Parishes as mitigation land for damage to lands located elsewhere in Louisiana, and

WHEREAS, Department of Transportation and Development, as part of the mitigation plan, has transferred title of this 3,000 acre tract to the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, this acreage is suitable for establishment of the first wildlife management area in Grant Parish and will provide hunting opportunities to Louisiana sportsmen, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby accept title to this property for establishment of a new wildlife management area, and

BE IT FURTHER RESOLVED, that the area will be open to the public beginning with the 1989-90 hunting season and shall be named the Little River Wildlife Management Area.



Don Hines, Chairman
LA Wildlife & Fisheries Commission



Virginia Van Sickle, Secretary
LA Dept. of Wildlife & Fisheries

RESOLUTION

Oyster Season
Calcasieu and Sabine Lakes
adopted by the
Louisiana Wildlife and Fisheries Commission
October 5, 1989 North Toledo Bend State Park
Zwolle, Louisiana

WHEREAS, the harvest of oysters in Calcasieu Lake and Sabine lake is regulated by R.S. 56:435.1, and

WHEREAS, the Department may extend the oyster season to compensate for time lost due to health closures as a result of Act 112 of the 1988 Regular Legislative Session, now

THEREFORE BE IT RESOLVED, that the 1989/90 oyster season in Calcasieu and Sabine Lakes will open 1/2 hour before sunrise Wednesday, November 15, 1989, and extend until 1/2 hour after sunset, Thursday, March 15, 1990, and

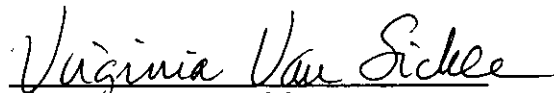
BE IT FURTHER RESOLVED, harvest will be by tonging only, and

BE IT FURTHER RESOLVED, that the waters of Calcasieu Lake and Sabine Lake will be open only when the state Department of Health and Hospitals classifies these waters as safe for the harvest of oysters, and

BE IT FURTHER RESOLVED, that the Department's Secretary has the authority to delay the closing of this season to compensate for health closures, such delay not to extend past April 30, 1990 or close the season if biological information indicates the need to do so or if enforcement problems arise.



Dr. Donald Hines, Chairman
LA Wildlife & Fisheries Commission



Virginia Van Sickle, Secretary
LA Dept. of Wildlife & Fisheries

RESOLUTION

Bait Shrimp Dealer's Permit
adopted by the
Wildlife and Fisheries Commission
October 5, 1989 North Toledo Bend State Park
Zwolle, Louisiana

- WHEREAS, R.S. 56:497C provides for the issuance of Bait Shrimp Dealer's Permits to commercial bait shrimp dealers, and
- WHEREAS, these permits allow the taking of shrimp for live bait between the spring and fall shrimp seasons, and
- WHEREAS, the Louisiana Wildlife and Fisheries Commission published a Notice of Intent which appeared in the August 20, 1989 edition of the Louisiana Register setting forth rules under which the Bait Shrimp Dealer Permits would be issued, and
- WHEREAS, the provisions of the Administrative Procedures Act have now been met and written comments on the proposed rule have been received and reviewed, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission adopts the following rules relative to Bait Shrimp Dealer Permits.

RULE

Department of Wildlife and Fisheries
Louisiana Wildlife and Fisheries Commission

Special Bait Dealer's Permit

§ 329

A. Policy

The special bait dealer's permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp as bait during the closed season between the spring and fall shrimp season. Its purpose is to allow the uninterrupted operation of those commercial establishments which sell live

bait shrimp to the fishing public during the spring and fall shrimp season. The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp, or for any other entity which may wish to catch shrimp for their own use during the closed season.

B. Application

1. Application for the special bait dealer's permit will be accepted from January 1 through April 30.

2. Application will be accepted only from the owner of an existing business which sells or plans to sell live bait to recreational fishermen.

3. Application must be made on forms provided by the Department; all information requested must be provided before the application will be processed.

4. Applicant must show proof of having acquired all necessary licenses and permits before the permit will be issued. This includes, if relevant, boat registration, vessel license, gear license, commercial fishing licenses, wholesale/retail dealers license, state sales tax number.

5. Applicant must post a \$1,000 cash bond or surety bond before the permit is issued. This bond will be forfeited if the permittee, his employee, or his contractor violates any provision of the rules and regulations concerning the special bait dealer's permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit. Property bonds are not acceptable.

6. Before the permit is issued an agent of the Department must inspect the facilities of the applicant and verify that the applicant is operating a commercial establishment which sells live shrimp to the fishing public for use as bait, and that the applicant does have the facilities to maintain live shrimp. Notice to the public must be posted that live bait shrimp are available for sale. The applicant must have onshore facilities, including tanks with a minimum capacity of 500 gallons, available to hold live shrimp. These tanks must have provisions for aeration and/or circulation of the water in which live shrimp are held prior to sale. In determining total tank capacity of onshore facilities, the agent shall not count any tank with a capacity of less than 50 gallons.

7. Only the applicant, his designated employee, or his contractor may operate under the permit. If the applicant has a contract with another party who will supply live bait shrimp to him, he must provide the Department written evidence of the agreement. At the time of application, the applicant will specify who will be working under the permit. Should these persons change, the applicant will notify the Department in the manner specified by the permit before the new vessel or persons operate under the permit. The permit is not transferrable to any other person or vessel without previous notification to the Department in the manner specified by the permit.

8. Vessel operations under this permit shall be limited to areas specified by the Department in the permit. The applicant shall specify in his application the area in which he would like to operate.

C. Operations

1. Only the vessel listed in the permit can be used under the permit. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp must be carried on or built into this vessel; it must be used for both taking and transporting the live shrimp. the vessel must have a minimum of one compartment or tank with a capacity of 50 gallons. No other vessel may be used under the permit. Signs which identify the vessel as working under a special bait dealer's permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.

2. Permitted gear is limited to one (1) trawl not to exceed 25 feet along the cork line and 33 feet along the lead line. This is the only gear which can be used or carried aboard the permitted vessel while the vessel is operating under permit; no other commercial fishing gear may be on the vessel when it is being used under permit.

3. No dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp and all other organisms caught while taking live bait shrimp must be immediately returned to the water except Atlantic Croaker, Gulf Menhaden and Threadfin Shad may be kept and sold as bait. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 48 ounces in weight.

4. Bait shrimp may be taken only from sunrise to sunset; no night fishing

is allowed under this permit.

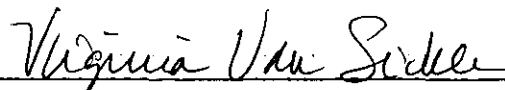
5. The original permit must be in the possession of the person operating the vessel while it is engaged in taking shrimp under the terms of the permit.

6. Each time the permit is used the permittee must notify the Department in the manner specified by the permit. Before the vessel departs the dock under permit the Department must be advised of the time of departure and the general location in which trawling will take place; immediately after the permitted vessel returns to the dock the Department must be notified of its time of return.

7. The permittee shall maintain an up-to-date record of the activities conducted under permit on forms provided by the Department for that purpose. These forms shall be available for inspection by agents of the Department upon request by said agents. Permittee will submit to the Department, not later than September 1, the record of shrimp harvested under permit.



Dr. Donald Hines, Chairman
LA Wildlife and Fisheries Commission



Virginia Van Sickle, Secretary
LA Dept. Wildlife and Fisheries

RESOLUTION

RECREATIONAL BAG LIMITS FOR SPANISH AND KING MACKEREL

WHEREAS, both Spanish and king mackerel are managed under the federal Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic, and

WHEREAS, this fishery management plan establishes recreational bag limits for both Spanish and king mackerel taken in the federal waters of the Gulf of Mexico and South Atlantic, and

WHEREAS, the Gulf and South Atlantic Fishery Management Councils have requested that the Gulf States adopt recreational bag limits for Spanish and king mackerel compatible with those contained in the federal fishery management plan, and

WHEREAS, on June 2, 1989 the Louisiana Wildlife and Fisheries Commission expressed its intent to establish recreational bag limits for Spanish and king mackerel, and

WHEREAS, all provisions of the Administrative Procedures Act have been met.

THEREFORE BE IT RESOLVED, by the Louisiana Wildlife and Fisheries Commission that pursuant to the authority granted by Section 326.3 of Title 56 of the Louisiana Revised Statutes the recreational bag limit for Spanish mackerel shall be 10 fish per person per trip; and the recreational bag limit for king mackerel shall be 2 fish per person per trip for private vessels and for charter vessels the king mackerel recreational bag limit shall be either 3 fish per person per trip excluding captain and crew, or 2 fish per person per trip including captain and crew, whichever is greater.

BE IT FURTHER RESOLVED, that the complete contents of the rule establishing recreational bag limits for Spanish and king mackerel is attached to and made a part of this resolution.


Chairman


Secretary

RULE

Louisiana Department of Wildlife and Fisheries Louisiana Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing recreational bag limits for spanish and king mackerel:

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

S. Daily Take and Possession Limits Set by Commission

The recreational bag limit for spanish mackerel (Scomberomorus maculatus) shall be 10 fish per person per trip.

The recreational bag limit for king mackerel (Scomberomorus cavalla) shall be 2 fish per person per trip for private vessels. For charter vessels the recreational bag limit for king mackerel shall be either 3 fish per person per trip, excluding captain and crew, or 2 fish per person per trip, including captain and crew, whichever is greater. For the purposes of this rule, charter vessels shall be defined as vessels permitted by the National Marine Fisheries Service to fish as a charter vessel under the Federal Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic.

-mead:10

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NORTH TOLEDO BEND, LOUISIANA STATE PARK
OCTOBER 5-6, 1989

1. Roll Call
2. Approval of Minutes of September 7-8, 1989
3. Grant Parish DOTD Mitigation Lands
4. Appeal of Rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 250 - Union Oil and Gas Division, Unocal Corporation
5. Ratification - Paddlefish Closure
6. Notice of Intent - Black Bass Regulations, Chicot Lake
7. Discussion - Commission Authority to Set Channel Catfish Limits
8. Notice of Intent and Declaration of Emergency - Oyster Season Calcasieu Lake
9. Oyster Season Update and Notice of Possible Season and Harvest Restriction Alteration
10. Ratification of Shrimp Bait Dealer Permit Regulation
11. Ratification of Spanish and King Mackerel Recreational Limits
12. Notice of Intent and Declaration of Emergency Black Drum Harvest Regulations
13. Notice of Intent - Fish and Wildlife Values
14. Update on New Orleans Building
15. Ducks Unlimited Contribution Update
16. Law Enforcement Report
17. Secretary's Report to the Commission

18. December Meeting Date 14th and 15th

OTHER BUSINESS

PUBLIC COMMENTS

AGENDA
TEXAS PARKS AND WILDLIFE COMMISSION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NORTH TOLEDO BEND, LOUISIANA STATE PARK
OCTOBER 6, 1989

1. Compatibility of Fishing Regulations in Common Boundary Waters
2. Toledo Bend - Marking off Boat Roads and Removal of Obstructions
3. Licensing Changes Affecting Non-Resident Texas and Louisiana Hunters
4. Saltwater Fisheries (TEDS, Red Fish, Trout)
5. Waterfowl Regulations
6. Other Business

File:
Oct. Comm.
mtg. file

RULE
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
TITLE 76
WILDLIFE AND FISHERIES

PART I. WILDLIFE AND FISHERIES COMMISSION

CHAPTER 3 SPECIAL POWERS AND DUTIES.

SUBCHAPTER C. FISH AND WILDLIFE VALUES

The Louisiana Wildlife and Fisheries Commission hereby adopts the following values for illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

Game Mammals and Game Birds

Deer	\$474.70
Squirrels	\$8.82
Rabbits	\$14.84
Turkeys	\$726.24
Ducks	\$10.59
Geese	\$38.02
Coots	\$11.34
Gallinules	\$4.01
Rails	\$25.89
Snipe	\$20.29
Quail	\$15.72
Woodcock	\$27.13
Doves	\$8.85

Non-Game Animals

Raptors (Birds)	\$50.00
Other Birds	\$10.00
Frogs	\$8.84/lb
Turtles	\$5.35/lb
Alligator (Skin)	\$45.00/ft
Alligator (Meat)	\$2.00/lb
Nutria	\$2.50
Mink	\$12.50
Fox	\$15.00
Muskrat	\$2.00
Raccoon	\$5.00
Bobcat	\$45.00
Black Bear	\$2,000.00
Marine Mammals	\$2,000.00
Other Mammals	\$10.00

Threatened and Endangered Species

Reptiles (Adult or Young)	\$2,500.00/animal
Reptiles (Eggs)	\$2,500.00/violation
Birds (Adult or Young)	\$2,500.00/animal
Birds (Eggs)	\$2,500.00/violation
Mammals	\$2,500.00/animal
Invertebrates	\$2,500.00/violation

All Non-Commercial/Non-Sport Fish			
Marine		Fresh-Water	
Length Inches	Value	Length Inches	Value
1	\$0.32	1	\$0.17
2	\$0.58	2	\$0.22
3	\$0.89	3	\$0.29
4	\$1.20	4	\$0.43
5	\$1.47	5	\$0.57
6	\$1.72	6	\$0.71
7	\$2.03	7	\$0.82
8	\$2.40	8	\$1.00
9	\$2.72	9	\$1.41
10	\$3.00	10	\$1.70
11	\$3.70	11	\$1.99
12	\$4.69	12	\$2.56
13	\$5.72	13	\$3.14
Over 13	\$5.72/lb	Over 13	\$3.14/lb

Recreational & Commercial Fishes

Inch	Red fish	Speckled Trout	Red Snapper	White Trout	Flounder	Croaker	King Mackerel	L.Mouth Bass	Blue Gill	Crappie
1	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.31	\$0.25	\$0.31
2	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.72	\$0.50	\$0.52
3	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$0.93	\$0.58	\$0.52
4	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.05	\$0.73	\$0.72
5	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.38	\$0.85	\$0.76
6	\$1.98	\$1.98	\$1.98	\$1.98	\$1.98	\$2.20	\$1.98	\$1.60	\$1.23	\$1.23
7	\$3.17	\$2.64	\$2.61	\$2.03	\$2.42	\$2.42	\$6.10	\$2.60	\$3.99	\$1.74
8	\$4.36	\$3.30	\$3.24	\$2.08	\$2.86	\$2.64	\$10.23	\$3.59	\$9.59	\$2.26
9	\$5.56	\$3.96	\$3.87	\$2.14	\$3.31	\$2.86	\$14.35	\$4.58	\$23.05	\$2.77
10	\$6.75	\$4.62	\$4.50	\$2.19	\$3.75	\$3.17	\$18.48	\$5.57	\$25.61	\$3.29
11	\$7.94	\$5.28	\$5.13	\$2.24	\$4.19	\$3.49	\$22.60	\$6.56	\$28.17	\$4.45
12	\$9.13	\$5.94	\$5.76	\$2.29	\$4.63	\$3.82	\$26.72	\$7.56	\$30.73	\$6.02
13	\$10.33	\$6.60	\$6.39	\$2.34	\$5.07	\$4.16	\$30.85	\$8.55	\$33.29	\$8.15
14	\$11.52	\$8.39	\$7.02	\$2.94	\$5.52	\$4.50	\$34.97	\$9.54	\$35.85	\$11.04
15	\$12.71	\$10.67	\$8.41	\$3.69	\$6.02	\$4.86	\$39.10	\$12.91	\$38.41	\$14.94
16	\$13.90	\$13.55	\$10.04	\$4.62	\$6.54	\$5.23	\$43.22	\$17.48	\$40.98	\$20.23
17	\$17.37	\$17.20	\$11.96	\$5.77	\$7.10	\$5.60	\$47.34	\$23.67	\$43.54	\$27.39
18	\$21.70	\$21.82	\$14.19	\$7.20	\$7.68	\$6.00	\$51.47	\$32.04	\$46.10	\$29.00
19	\$27.10	\$27.67	\$16.81	\$8.98	\$8.29	\$6.40	\$55.59	\$43.38		\$30.61
20	\$33.86	\$35.09	\$19.87	\$11.20	\$8.93	\$6.82	\$59.72	\$58.73		\$32.22
21	\$42.29	\$44.50	\$23.45	\$13.95	\$9.61	\$7.26	\$63.84	\$79.52		\$33.83
22	\$52.83	\$56.44	\$27.62	\$17.39	\$10.33	\$7.71	\$67.97	\$83.30		\$35.44
23	\$66.00	\$59.21	\$32.50	\$21.66	\$11.09	\$8.17	\$72.09	\$87.09		\$37.05
24	\$82.45	\$62.02	\$38.20	\$22.78	\$11.89	\$8.66	\$76.21	\$90.87		\$38.66
25	\$103.00	\$64.86	\$44.86	\$23.92	\$12.73	\$9.16	\$80.34	\$94.66		
26	\$128.67	\$67.73	\$52.65	\$25.08	\$13.62	\$9.69	\$84.46	\$98.45		
27	\$133.61	\$70.64	\$61.77	\$26.27	\$14.56		\$88.59	\$102.23		
28	\$138.56	\$73.59	\$65.02	\$27.49	\$15.55		\$92.71	\$106.02		
29	\$143.51	\$76.57	\$68.38	\$28.74			\$96.83	\$109.81		
30	\$148.46	\$79.59	\$71.85	\$30.01			\$100.96	\$113.59		
31	\$153.41	\$82.65	\$75.42	\$31.32			\$105.08	\$117.38		
32	\$158.36	\$85.75	\$79.12				\$109.21	\$121.17		
33	\$163.31		\$82.94				\$113.33	\$124.95		
34	\$168.25		\$86.88				\$117.45	\$128.74		
35	\$173.20		\$90.95				\$121.58	\$132.53		
36	\$178.15		\$95.15				\$125.70	\$136.31		
37	\$183.10		\$99.48				\$129.83			
38	\$188.05		\$103.96				\$133.95			
39	\$193.00		\$108.58				\$138.08			
40	\$197.95		\$113.35				\$142.20			
41	\$202.90		\$118.26				\$146.32			
42	\$207.84		\$123.34				\$150.45			
43	\$212.79						\$154.57			
44	\$217.74						\$158.74			
45	\$222.69						\$162.95			
46	\$227.64						\$167.20			
47	\$232.59						\$171.50			
48	\$237.54						\$175.83			
49	\$242.48						\$180.21			
50	\$247.43						\$184.63			
51	\$252.38						\$189.10			
52	\$257.33						\$193.61			
53							\$198.17			
54							\$202.78			
55							\$207.43			
56							\$212.13			
57							\$216.89			
58							\$221.69			
59							\$226.55			
60							\$231.46			
61							\$236.42			
62							\$241.44			
63							\$246.51			
64							\$251.64			
65							\$256.83			
66							\$262.07			

Commercial Fish Species

Species Group	Value \$/lb	Species Group	Value \$/lb
Menhaden	\$0.05	Shrimp	\$1.46
Crab, Blue	\$0.41	Crawfish	\$0.44
Oyster	\$2.35	Tuna, Yellowfin	\$1.52
Drum, Black	\$0.27	Catfishes	\$0.48
Buffalofish	\$0.18	Shark	\$0.44
Mullet, Black	\$0.64	Sheepshead	\$0.18
Carp	\$0.09	King Whiting	\$0.30
Swordfish	\$3.10	Sheepshead, Freshwater	\$0.19
Garfish	\$0.45	Amberjack	\$0.58
Snapper, Vermillion	\$1.53	Wahoo	\$0.85
Sea Catfish	\$0.13	Grouper & Scamp	\$1.65
Butterfish	\$0.42	Shark, Black Tip	\$0.32
Tilefish	\$1.18	Tuna, Bluefin	\$13.65
Warsaw	\$1.19	Dolphinfish	\$0.83
Grouper, Yellowedge	\$1.73	Shark, Bonito	\$0.72
Grouper, Yellowfin	\$1.71	Scamp	\$1.89
Grouper, Black	\$1.80	Tuna, Other	\$0.41
Scup or porgy	\$1.12	Pompano	\$3.11
Cabio	\$0.84	Tuna, Blackfin	\$0.38
Bluerunner	\$0.36	Triggerfish	\$0.74
Shark, Thrasher	\$0.39	Grouper, Snowy	\$1.74
Shad	\$0.18	Spanish Mackerel	\$0.30
Tuna, Bigeye	\$2.30	Bearded Brotula	\$0.68
Snapper, Queen	\$1.35	Snapper, Silk	\$1.51
Bluefish	\$0.27	Grouper, Marbled	\$1.34
Grouper, Gag	\$1.82	Shark, Longfin Mako	\$1.00
Bowfin	\$0.14	Snapper, Other	\$1.69
Snapper, Black	\$1.44	Crab, Stone	\$2.00
Tuna, Albacore	\$0.74	Sculpin	\$1.04
Bonito	\$0.29	Jewfish	\$0.91
Squid	\$0.34	Eel, Common	\$0.47
Shark, Tiger	\$0.35	Snapper, Lane	\$1.97
Spot	\$0.31	Snapper, Mangrove	\$1.18
Tripletail	\$0.55	Driftfish, Black	\$1.11
Hind, Speckled	\$1.36	Grouper, Other	\$0.71
Paddlefish	\$0.18	Marlin, White	\$0.80
Shark, Sandbar	\$0.27	Marlin, Blue	\$0.82
Snapper, Blackfin	\$1.21	Hake	\$0.47
Hinds, Other	\$1.32	Spearfish	\$0.75
Rudderfish	\$0.59	Sailfish	\$0.95
Shrimp, freshwater	\$0.86	Grouper, Red	\$1.53
Snapper, Yellowtail	\$0.79	Crevalle Jack	\$0.11
Hind, Rock	\$1.31	Shark, Blue	\$0.22
Snapper, Gray	\$0.90	Shark, Hammerhead	\$0.31
Tuna, Skipjack	\$1.35	Shark, Sand Tiger	\$0.34
Skates	\$0.43	Grunts	\$0.33
Snapper, Mahogany	\$1.42	Shark, Dogfish	\$0.90
Rays	\$0.31	Sawfish	\$0.20
Oilfish	\$0.75	Shark, White	\$0.43
Barracuda	\$0.29	Grouper, Yellowmouth	\$1.83
SeaBass, Atlantic	\$0.89	Hind, Red	\$1.29
Porgy, Red	\$0.86	Moonfish	\$0.08
Shark, Soupfin	\$0.30	Marlin, Black	\$0.94
Permit	\$0.90	Sardine, Pacific	\$0.28
Grouper, Nassau	\$1.24	Eel, Conger	\$0.43
Spadefish	\$0.20	Blackfish, Sacramento	\$0.29
Filefish	\$0.20	Wenchman	\$0.44
Eel, Moray	\$1.00	Sturgeon, Green	\$0.43
Snapper, Mutton	\$0.35		

CITATION LAC 76:I.315

AUTHORITY NOTE: R.S. 56:40.2

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

VIRGINIA VAN SICKLE
SECRETARY

POST OFFICE BOX 88000
BATON ROUGE, LA 70898

BUDDY ROEMER
GOVERNOR

September 28, 1989

MEMORANDUM

TO: Virginia Van Sickle

FROM: Sharyn Bateman *JB*

RE: Rules, and Notices of Intent to be presented at the
October 5-6, 1989, Commission Meeting

Listed below are the rules and notice of intents that are to be presented at the Commission meeting at North Toledo Bend, Louisiana State Park.

- 1) Ratification of Rule on Paddle Closure
- 2) Ratification of Rule on Shrimp Bait Dealer Permit Regulation
- 3) Ratification of Rule on Spanish and King Mackerel Recreational Limits
- 4) Notice of Intent on Black Bass Regulations, Chico Lake
- 5) Notice of Intent and Emergency Declaration on Oyster Season Calcasieu Lake
- 6) Notice of Intent and Emergency Declaration on Black Drum Harvest Regulations
- 7) Notice of Intent on Fish and Wildlife Values



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 96000
BATON ROUGE, LA. 70898
PHONE (504) 765-2900

BUDDY ROEMER
GOVERNOR

May 8, 1989

Union Exploration Partners, LTD.
c/o Morris P. Hebert, Inc.
P. O. Box 3106
Houma, Louisiana 70361

Re: "Class B Use" permit # 240
Louisiana Natural and Scenic
River System
Dredge a canal and slip for a
oil/gas well site
Bayou Penchant

Dear Sir:

The Administrator of the Louisiana Natural and Scenic Rivers System is in receipt of your request for a permit dated January 1989, together with drawings to construct and maintain a canal and slip for an oil/gas well site off Bayou Penchant. Bayou Penchant is located in Terrebonne Parish.

The above request has been examined by personnel on the State Planning Office, the Louisiana Department of Culture, Recreation and Tourism, the Louisiana Department of Environmental Quality, and the Louisiana Department of Wildlife and Fisheries. A public notice of this proposed project has been circulated in the areas of interest and to interested individuals known to the Administrator. Whereas there has been no substantial objection to the proposed project, this permit for the construction and maintaining of a canal and slip for oil/gas well site off Bayou Penchant is issued to Union Exploration Partners, LTD. subject to the following conditions:

- 1) The construction and maintenance of the canal and slip shall be carried out in accordance with plans and drawings presented to the Administrator except where the following conditions indicate.
- 2) All other appropriate permits from state and federal agencies are acquired.
- 3) Should changes or removal of the proposed project be required in the future, in the public interest, the permit holder shall make

such changes in the project concerned or arrangement thereof as may be necessary to satisfactorily meet the situation and shall bear the cost thereof.

4) If during project construction an archaeological site is encountered, operations shall be temporarily discontinued and the permit holder shall contact the Administrator to determine the disposition thereof.

5) Applicant shall have pollution booms on site for immediate deployment.

6) Applicant shall not discharge any drilling and/or workover effluent except for flocculated filtered water into Bayou Penchant or adjacent waters.

7) Applicant shall not discharge any human waste which does not meet or exceed the requirements of the Department of Health and Human Resources.

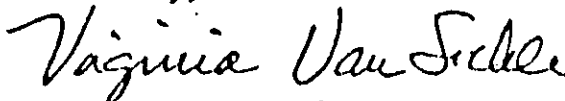
8) Applicant shall use turbidity curtains to contain the turbid waters created during dredging activities.

9) Applicant shall establish a monitoring plan to insure the effectiveness of the turbidity curtains. Monitoring plan shall include sampling prior to, during and after the dredging and drilling operations.

10) Applicant shall provide a mitigation plan within 90 days of this permit and implement the approved plan within one year of this permit.

11) Applicant shall, upon abandonment of the well, install and maintain a plug which is made up on a solid shell core with a concrete matted material cover. The entire plug shall be covered with soil and planted with the same species of herbaceous plants occurring at the site area. An onsite inspection of the plug will be conducted by the applicant and this agency.

Sincerely,



Virginia Van Sickle
Secretary

VVB:fod

cc: State Planning Office

La. Dept. of Culture, Recreation and Tourism

La. Dept. of Environmental Quality

La. Dept. of Transportation and Dev., Office of Public Works

La. Dept. of Wildlife and Fisheries, Habitat Conservation Division

La. Dept. of Natural Resources, Coastal Management Division

U. S. Corps of Engineers, New Orleans District

NOTICE OF INTENT
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

The Louisiana Wildlife and Fisheries Commission hereby gives notice to the public that pursuant to Act 169 of the 1988 regular session of the Legislature, the Commission intends to adopt monetary values to be assigned to illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life. Said rule is attached to and made part of this Notice of Intent.

A copy of the proposed rule is available for inspection by the public in the Office of the Secretary of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, Louisiana between the hours of 8:00 am and 4:30pm, Monday through Friday.

For further information contact M.B. Watson, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000, or call (504) 765-2369.

RULE
WILDLIFE AND FISHERIES COMMISSION
TITLE 76
WILDLIFE AND FISHERIES

PART I. WILDLIFE AND FISHERIES COMMISSION

CHAPTER 3 SPECIAL POWERS AND DUTIES.

SUBCHAPTER C. ~~FISH AND~~ WILDLIFE VALUES

~~§ 125.30~~ Fish and Wildlife Values

The Wildlife and Fisheries Commission hereby adopts the following values for illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

Game Mammals and Game Birds

Deer	\$474.70
Squirrels	\$8.82
Rabbits	\$14.84
Turkeys	\$726.24
Ducks	\$10.59
Geese	\$38.02
Coots	\$11.34
Gallinules	\$4.01
Rails	\$25.89
Snipe	\$20.29
Quail	\$15.72
Woodcock	\$27.13
Doves	\$8.85

Non-Game Animals

Raptors (Birds)	\$50.00
Other Birds	\$10.00
Frogs	\$8.84/lb
Turtles	\$5.35/lb
Alligator (Skin)	\$45.00/ft
Alligator (Meat)	\$2.00/lb
Nutria	\$2.50
Mink	\$12.50
Fox	\$15.00
Muskrat	\$2.00
Raccoon	\$5.00
Bobcat	\$45.00
Black Bear	\$2,000.00
Marine Mammals	\$2,000.00
Other Mammals	\$10.00

Threatened and Endangered Species

Reptiles (Adult or Young)	\$2,500.00/animal
Reptiles (Eggs)	\$2,500.00/violation
Birds (Adult or Young)	\$2,500.00/animal
Birds (Eggs)	\$2,500.00/violation
Mammals	\$2,500.00/animal
Invertebrates	\$2,500.00/violation

All Non-Commercial/Non-Sport Fish

Marine		Fresh-Water	
Length Inches	Value	Length Inches	Value
1	\$0.32	1	\$0.17
2	\$0.58	2	\$0.22
3	\$0.89	3	\$0.29
4	\$1.20	4	\$0.43
5	\$1.47	5	\$0.57
6	\$1.72	6	\$0.71
7	\$2.03	7	\$0.82
8	\$2.40	8	\$1.00
9	\$2.72	9	\$1.41
10	\$3.00	10	\$1.70
11	\$3.70	11	\$1.99
12	\$4.69	12	\$2.56
13	\$5.72	13	\$3.14
Over 13	\$5.72/lb	Over 13	\$3.14/lb

Recreational & Commercial Fishes

Inch	Red fish	Speckled Trout	Red Snapper	White Trout	Flounder	Croaker	King Mackerel	L.Mouth Bass	Blue Gill	Crappie
1	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.31	\$0.25	\$0.31
2	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.72	\$0.50	\$0.52
3	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$0.93	\$0.58	\$0.52
4	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.05	\$0.73	\$0.72
5	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.38	\$0.85	\$0.76
6	\$1.98	\$1.98	\$1.98	\$1.98	\$1.98	\$2.20	\$1.98	\$1.60	\$1.23	\$1.23
7	\$3.17	\$2.64	\$2.61	\$2.03	\$2.42	\$2.42	\$6.10	\$2.60	\$3.99	\$1.74
8	\$4.36	\$3.30	\$3.24	\$2.08	\$2.86	\$2.64	\$10.23	\$3.59	\$9.59	\$2.26
9	\$5.56	\$3.96	\$3.87	\$2.14	\$3.31	\$2.86	\$14.35	\$4.58	\$23.05	\$2.77
10	\$6.75	\$4.62	\$4.50	\$2.19	\$3.75	\$3.17	\$18.48	\$5.57	\$25.61	\$3.29
11	\$7.94	\$5.28	\$5.13	\$2.24	\$4.19	\$3.49	\$22.60	\$6.56	\$28.17	\$4.45
12	\$9.13	\$5.94	\$5.76	\$2.29	\$4.63	\$3.82	\$26.72	\$7.56	\$30.73	\$6.02
13	\$10.33	\$6.60	\$6.39	\$2.34	\$5.07	\$4.16	\$30.85	\$8.55	\$33.29	\$8.15
14	\$11.52	\$8.39	\$7.02	\$2.94	\$5.52	\$4.50	\$34.97	\$9.54	\$35.85	\$11.04
15	\$12.71	\$10.67	\$8.41	\$3.69	\$6.02	\$4.86	\$39.10	\$12.91	\$38.41	\$14.94
16	\$13.90	\$13.55	\$10.04	\$4.62	\$6.54	\$5.23	\$43.22	\$17.48	\$40.98	\$20.23
17	\$17.37	\$17.20	\$11.96	\$5.77	\$7.10	\$5.60	\$47.34	\$23.67	\$43.54	\$27.39
18	\$21.70	\$21.82	\$14.19	\$7.20	\$7.68	\$6.00	\$51.47	\$32.04	\$46.10	\$29.00
19	\$27.10	\$27.67	\$16.81	\$8.98	\$8.29	\$6.40	\$55.59	\$43.38		\$30.61
20	\$33.86	\$35.09	\$19.87	\$11.20	\$8.93	\$6.82	\$59.72	\$58.73		\$32.22
21	\$42.29	\$44.50	\$23.45	\$13.95	\$9.61	\$7.26	\$63.84	\$79.52		\$33.83
22	\$52.83	\$56.44	\$27.62	\$17.39	\$10.33	\$7.71	\$67.97	\$83.30		\$35.44
23	\$66.00	\$59.21	\$32.50	\$21.66	\$11.09	\$8.17	\$72.09	\$87.09		\$37.05
24	\$82.45	\$62.02	\$38.20	\$22.78	\$11.89	\$8.66	\$76.21	\$90.87		\$38.66
25	\$103.00	\$64.86	\$44.86	\$23.92	\$12.73	\$9.16	\$80.34	\$94.66		
26	\$128.67	\$67.73	\$52.65	\$25.08	\$13.62	\$9.69	\$84.46	\$98.45		
27	\$133.61	\$70.64	\$61.77	\$26.27	\$14.56		\$88.59	\$102.23		
28	\$138.56	\$73.59	\$65.02	\$27.49	\$15.55		\$92.71	\$106.02		
29	\$143.51	\$76.57	\$68.38	\$28.74			\$96.83	\$109.81		
30	\$148.46	\$79.59	\$71.85	\$30.01			\$100.96	\$113.59		
31	\$153.41	\$82.65	\$75.42	\$31.32			\$105.08	\$117.38		
32	\$158.36	\$85.75	\$79.12				\$109.21	\$121.17		
33	\$163.31		\$82.94				\$113.33	\$124.95		
34	\$168.25		\$86.88				\$117.45	\$128.74		
35	\$173.20		\$90.95				\$121.58	\$132.53		
36	\$178.15		\$95.15				\$125.70	\$136.31		
37	\$183.10		\$99.48				\$129.83			
38	\$188.05		\$103.96				\$133.95			
39	\$193.00		\$108.58				\$138.08			
40	\$197.95		\$113.35				\$142.20			
41	\$202.90		\$118.26				\$146.32			
42	\$207.84		\$123.34				\$150.45			
43	\$212.79						\$154.57			
44	\$217.74						\$158.74			
45	\$222.69						\$162.95			
46	\$227.64						\$167.20			
47	\$232.59						\$171.50			
48	\$237.54						\$175.83			
49	\$242.48						\$180.21			
50	\$247.43						\$184.63			
51	\$252.38						\$189.10			
52	\$257.33						\$193.61			
53							\$198.17			
54							\$202.78			
55							\$207.43			
56							\$212.13			
57							\$216.89			
58							\$221.69			
59							\$226.55			
60							\$231.46			
61							\$236.42			
62							\$241.44			
63							\$246.51			
64							\$251.64			
65							\$256.83			
66							\$262.07			

Commercial Fish Species

Species Group	Value \$/lb	Species Group	Value \$/lb
Menhaden	\$0.05	Shrimp	\$1.46
Crab, Blue	\$0.41	Crawfish	\$0.44
Oyster	\$2.35	Tuna, Yellowfin	\$1.52
Drum, Black	\$0.27	Catfishes	\$0.48
Buffalofish	\$0.18	Shark	\$0.44
Mullet, Black	\$0.64	Sheepshead	\$0.18
Carp	\$0.09	King Whiting	\$0.30
Swordfish	\$3.10	Sheepshead, Freshwater	\$0.19
Garfish	\$0.45	Amberjack	\$0.58
Snapper, Vermillion	\$1.53	Wahoo	\$0.85
Sea Catfish	\$0.13	Grouper & Scamp	\$1.65
Butterfish	\$0.42	Shark, Black Tip	\$0.32
Tilefish	\$1.18	Tuna, Bluefin	\$13.65
Warsaw	\$1.19	Dolphinfish	\$0.83
Grouper, Yellowedge	\$1.73	Shark, Bonito	\$0.72
Grouper, Yellowfin	\$1.71	Scamp	\$1.89
Grouper, Black	\$1.80	Tuna, Other	\$0.41
Scup or porgy	\$1.12	Pompano	\$3.11
Cabio	\$0.84	Tuna, Blackfin	\$0.38
Bluerunner	\$0.36	Triggerfish	\$0.74
Shark, Thrasher	\$0.39	Grouper, Snowy	\$1.74
Shad	\$0.18	Spanish Mackerel	\$0.30
Tuna, Bigeye	\$2.30	Bearded Brotula	\$0.68
Snapper, Queen	\$1.35	Snapper, Silk	\$1.51
Bluefish	\$0.27	Grouper, Marbled	\$1.34
Grouper, Gag	\$1.82	Shark, Longfin Mako	\$1.00
Bowfin	\$0.14	Snapper, Other	\$1.69
Snapper, Black	\$1.44	Crab, Stone	\$2.00
Tuna, Albacore	\$0.74	Sculpin	\$1.04
Bonito	\$0.29	Jewfish	\$0.91
Squid	\$0.34	Eel, Common	\$0.47
Shark, Tiger	\$0.35	Snapper, Lane	\$1.97
Spot	\$0.31	Snapper, Mangrove	\$1.18
Tripletail	\$0.55	Driftfish, Black	\$1.11
Hind, Speckled	\$1.36	Grouper, Other	\$0.71
Paddlefish	\$0.18	Marlin, White	\$0.80
Shark, Sandbar	\$0.27	Marlin, Blue	\$0.82
Snapper, Blackfin	\$1.21	Hake	\$0.47
Hinds, Other	\$1.32	Spearfish	\$0.75
Rudderfish	\$0.59	Sailfish	\$0.95
Shrimp, freshwater	\$0.86	Grouper, Red	\$1.53
Snapper, Yellowtail	\$0.79	Crevalle Jack	\$0.11
Hind, Rock	\$1.31	Shark, Blue	\$0.22
Snapper, Gray	\$0.90	Shark, Hammerhead	\$0.31
Tuna, Skipjack	\$1.35	Shark, Sand Tiger	\$0.34
Skates	\$0.43	Grunts	\$0.33
Snapper, Mahogany	\$1.42	Shark, Dogfish	\$0.90
Rays	\$0.31	Sawfish	\$0.20
Oilfish	\$0.75	Shark, White	\$0.43
Barracuda	\$0.29	Grouper, Yellowmouth	\$1.83
Sea Bass, Atlantic	\$0.89	Hind, Red	\$1.29
Porgy, Red	\$0.86	Moonfish	\$0.08
Shark, Soupfin	\$0.30	Marlin, Black	\$0.94
Permit	\$0.90	Sardine, Pacific	\$0.28
Grouper, Nassau	\$1.24	Eel, Conger	\$0.43
Spadefish	\$0.20	Blackfish, Sacramento	\$0.29
Filefish	\$0.20	Wenchman	\$0.44
Eel, Moray	\$1.00	Sturgeon, Green	\$0.43
Snapper, Mutton	\$0.35		

CITATION

LAC 76:I.315

AUTHORITY NOTE:

Promulgated in accordance with R.S. 56:40.2

HISTORICAL NOTE:

Promulgated by the Department of Wildlife and
Fisheries, Wildlife and Fisheries Commission,
L.R. 15: ().



RANDY ROACH
DISTRICT 36

STATE OF LOUISIANA
HOUSE OF REPRESENTATIVES

P. O. BOX 4883
LAKE CHARLES, LOUISIANA 70608
1-800-737-2474
LINE 475-8092
LAKE CHARLES OFFICE (318) 475-8868
CAMERON OFFICE (318) 542-4443

CIVIL LAW AND PROCEDURE
NATURAL RESOURCES
MUNICIPAL, PAROCHIAL AND CULTURAL AFFAIRS

TRANSMITTED BY FAX

October 4, 1989

Mr. Norman McCall
Cameron, LA 70631

Re: Act No. 516 - Oyster Harvester License

Dear Norman:

Act No. 516 of the 1989 Regular Session levied a \$100.00 per person fee on all persons harvesting or possessing oysters in state waters. The Act requires that all persons aboard any vessel engaged in oyster harvesting possess this license. The fee is \$100.00 for residents and \$400.00 for nonresidents.

This Act was adopted at the request of the Oyster Task force. In discussing this matter with the author of the bill, Mr. John Siracusa, he indicated that the Task Force rejected an increase in the oyster tag fee which had originally been proposed by the Department. Apparently the majority of members on the Task Force felt that because many oyster fishermen use dredges and can harvest up to 30 sacks or more per day it would be more equitable to generate the necessary revenue under a flat fee system.

However, it is apparent that because of the 10 sack limit in the Calcasieu Lake and the fact that oysters in the lake have to be harvested by tonging rather than by dredging, the impact of this fee is very inequitable insofar as the fishing industry in Calcasieu Lake is concerned. I have discussed this matter with Mr. Siracusa and with Mr. Ben Dugas, chairman of the Oyster Task Force, and they agree.

Mr. Norman McCall
October 4, 1989
Page Two

In reviewing the Act I noticed that it does not provide for a license year. In fact there is no indication in the Act whether the license is to be collected on a yearly basis or not. Section 1 of the Act makes it clear that the commission has the authority to adopt rules and regulations affecting the taking of oysters in the waters of the state. LCA-R.S. 56:301.5 (Acts 1986, No. 904, Sect. 1) specifically provides that the Commission may promulgate rules and regulations concerning any aspect of licensing not specifically provided for in this part.

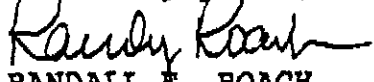
It is obvious that it is necessary for the Commission to establish a "license year" for the oyster harvester license and that it has the legal authority to do so.

I would like to request that you schedule on the agenda at the November meeting of the Commission an item which would establish the oyster harvester license year by regulation and further that this regulation incorporate an effective date of June 1, 1990 for persons oyster fishing in Calcasieu Lake. This will give me an opportunity to address this situation by legislation in the next Regular Session. It will also give the Calcasieu Lake Advisory Panel an opportunity to consider an alternative source of generating revenue for enforcement and health purposes on a more equitable basis. No one believes that Calcasieu Lake fishermen should be exempt from helping finance the State's Oyster Management Program. We simply believe that there is a better way to do it which will be fair to those fishermen using the lake under the present harvesting restrictions.

I have discussed this proposal with Mr. John Siracusa and he believes that this would be a reasonable approach to the problem and is willing to support our efforts in this regard.

With best regards,

Sincerely yours,


RANDALL E. ROACH

RER/jmd

cc: Mrs. Virginia VanSickle
Mr. Wade Adams
Representative John Siracusa
Representative Frank Patti
Oyster Advisory Panel

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

VIRGINIA VAN SICKLE
SECRETARY

POST OFFICE BOX 98000
BATON ROUGE, LA 70898

BUDDY ROEMER
GOVERNOR

September 29, 1989

M E M O R A N D U M:

TO: Chairman and Members of Commission
FROM: Virginia Van Sickle *VVS*
RE: Joint Commission Meeting

The Joint Commission Meeting between Texas and Louisiana will be at 10:00 A.M., Friday, October 6, 1989 at the North Toledo Bend, Louisiana State Park.

The following items will be on the agenda:

1. Compatibility of Fishing Regulations in Common Boundary Waters
2. Toledo Bend - Marking off Boat Roads and Removal of Obstructions
3. Licensing Changes Affecting Non-Resident Texas and Louisiana Hunters
4. Saltwater Fisheries (TEDS, Red Fish, Trout)
5. Waterfowl Regulations
6. Other Business

VVS:sb

C: Don Puckett
Kell McInnis
Bettsie Baker
Jerry Clark
John Medica
Division Chiefs

Resolution

Louisiana Wildlife and Fisheries Commission
Louisiana Department of Wildlife and Fisheries
October 7, 1989

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular meeting held at Toledo Bend Reservoir, October 7, 1989.

WHEREAS, it is the goal of the Louisiana Wildlife and Fisheries Commission and the Louisiana Department of Wildlife and Fisheries to provide areas for sportsmen to pursue hunting and fishing activities, and

WHEREAS, the Louisiana Department of Transportation and Development purchased 3,000 acres in Grant and LaSalle Parishes as mitigation land for damage to lands located elsewhere in Louisiana, and

WHEREAS, Department of Transportation and Development, as part of the mitigation plan, has transferred title of this 3,000 acre tract to the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, this acreage is suitable for establishment of the first wildlife management area in Grant Parish and will provide hunting opportunities to Louisiana sportsmen, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby accept title to this property for establishment of a new wildlife management area, and

BE IT FURTHER RESOLVED, that the area will be open to the public beginning with the 1989-90 hunting season and shall be named the Little River Wildlife Management Area.

Don Hines, Chairman
LA Wildlife & Fisheries Commission

Virginia Van Sickle, Secretary
LA Dept. of Wildlife & Fisheries

RULE

DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

Pursuant to the authority granted under Louisiana Revised Statutes, Title 56, Section 22, the Louisiana Wildlife and Fisheries Commission prohibits the taking and possession of paddlefish, Polyodon spathula, commonly called spoonbill catfish, or paddlefish body parts, including eggs (roe), for a three year period beginning November 1, 1989 and ending at sunset on October 31, 1992.

CITATION: LAC 76:VII:137

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 12:368 (June 1986), L.R. 15: (October 1989).

Don Hines
Chairman

6

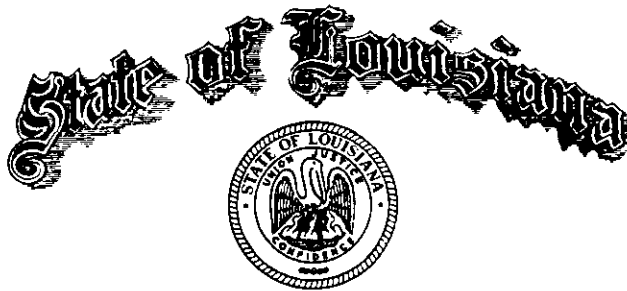
NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

Pursuant to the authority granted under Louisiana Revised Statutes, Title 56, Section 325(C), the Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a minimum size of 16 inches total length and a daily take and possession limit of 5 fish for black bass in Chicot Lake, Evangeline Parish, Louisiana. These proposed regulations will become effective January 1, 1990.

Interested persons may submit written comments on the proposed rule to the following address: Bennie J. Fontenot, Jr., Chief, Inland Fisheries Division, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, Louisiana 70898-9000

Don Hines
Chairman



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 29, 1989

Dr. Donald Hines, Commissioner
P. O. Box 130
Bunkie, LA 71322

Dr. Hines:

This is in response to your request that the Legal Division provide an opinion regarding the Commission's authority to regulate the size limits of channel catfish (locally called white, eel or willow cat) under the provisions of LA R.S. 56:326 A.(7)(b). That provision provides as follows:

"The channel cat, locally called the white, the eel cat, or the willow cat--11 inches minimum length with the mouth closed or 9 inches with the collarbone off; however, the commission is authorized to suspend or reduce by resolution, the legal size limit on channel catfish in those areas of the state where biological data indicates that such a suspension or reduction in the size limit would not be detrimental to the resource."

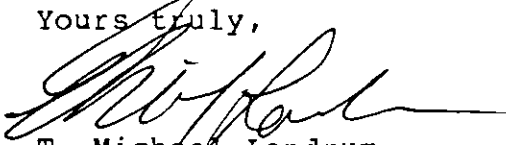
The statute establishes eleven (11") inches minimum length with the mouth closed or nine (9") inches with the collarbone off as the legal size of this fish. The statute further provides that the Commission is authorized to suspend or reduce the legal size limit on these fish but only where biological data indicates that such a suspension or resolution in the size limit would not be detrimental to the resource.

It is our opinion that absent such biological data, the Commission is without authority to vary or alter the legal size limit established in the statute by the legislature. Only where the biological data indicates that a suspension or reduction in

Dr. Donald Hines
September 29, 1989
Page 2

the size limit would not be detrimental to the resource would the Commission have the prerogative to act in this area.

Yours truly,

A handwritten signature in dark ink, appearing to read 'T. Michael Landrum', with a long horizontal flourish extending to the right.

T. Michael Landrum
Attorney

cc: Commission Members
Virginia Van Sickle
Jerry Clark
Bennie Fontenot

//

RULE

DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing recreational bag limits for spanish and king mackerel:

Title 76
Wildlife and Fisheries
Part VII. Fish and Other Aquatic Life
Chapter 3. Saltwater Sport and Commercial Fishing
S. 327. Daily Take and Possession Limits Set by Commission

The recreational bag limit for spanish mackerel (Scomberomorus maculatus) shall be 10 fish per person per trip.

The recreational bag limit for king mackerel (Scomberomorus cavalla) shall be 2 fish per person per trip for private vessels. For charter vessels the recreational bag limit for king mackerel shall be either 3 fish per person per trip, excluding captain and crew, or 2 fish per person per trip, including captain and crew, whichever is greater. For the purposes of this rule, charter vessels shall be defined as vessels permitted by the National Marine Fisheries Service to fish as a charter vessel under the Federal Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic.

CITATION: LAC 76:VII.327
AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.3
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 15: (October 1989).



November 1989



SUN

MON

TUE

WED

THU

FRI

SAT

			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

RULE

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

Special Bait Dealers' Permit

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), and R. S. 56:497(C), the Louisiana Wildlife and Fisheries Commission is hereby giving notice of its intention to adopt rules and regulations for a special bait dealers' permit which will allow the taking of live bait shrimp by qualified permit holders during the closed season between the spring and fall shrimp seasons.

A. Policy

The special bait dealer's permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp as bait during the closed season between the spring and fall shrimp season. Its purpose is to allow the uninterrupted operation of those commercial establishments which sell live bait shrimp to the fishing public during the spring and fall shrimp season. The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp, or for any other entity which may wish to catch shrimp for their own use during the closed season.

B. Application

1. Application for the special bait dealer's permit will be accepted from January 1 through April 30.
2. Application will be accepted only from the owner of an existing business which sells or plans to sell live bait to recreational fishermen.
3. Application must be made on forms provided by the Department; all information requested must be provided before the application will be processed.

4. Applicant must show proof of having acquired all necessary licenses and permits before the permit will be issued. This includes, if relevant, boat registration, vessel license, gear license, commercial fishing licenses, wholesale/retail dealers license, state sales tax number.

5. Applicant must post a \$1,000 cash bond or surety bond before the permit is issued. This bond will be forfeited if the permittee, his employee, or his contractor violates any provision of the rules and regulations concerning the special bait dealer's permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit. Property bonds are not acceptable.

6. Before the permit is issued an agent of the Department must inspect the facilities of the applicant and verify that the applicant is operating a commercial establishment which sells live shrimp to the fishing public for use as bait, and that the applicant does have the facilities to maintain live shrimp. Notice to the public must be posted that live bait shrimp are available for sale. The applicant must have onshore facilities, including tanks with a minimum capacity of 500 gallons, available to hold live shrimp. These tanks must have provisions for aeration and/or circulation of the water in which live shrimp are held prior to sale. In determining total tank capacity of onshore facilities, the agent shall not count any tank with a capacity of less than 50 gallons.

7. Only the applicant, his designated employee, or his contractor may operate under the permit. If the applicant has a contract with another party who will supply live bait shrimp to him, he must provide the Department written evidence of the agreement. At the time of application, the applicant will specify who will be working under the permit. Should these persons change, the applicant will notify the Department in the manner specified by the permit before the new vessel or persons operate under the permit. The permit is not transferrable to any other person or vessel without previous notification to the Department in the manner specified by the permit.

8. Vessel operations under this permit shall be limited to areas specified by the Department in the permit. The applicant shall specify in his application the area in which he would like to operate.

C. Operations

1. Only the vessel listed in the permit can be used to under the permit. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp must be carried on or built into this vessel; it must be used for both taking and transporting the live shrimp. The vessel must have a minimum of one compartment or tank with a capacity of 50 gallons. No other vessel may be used under the permit. Signs which identify the vessel as working under a special bait dealer's permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.

2. Permitted gear is limited to one (1) trawl not to exceed 25 feet along the cork line and 33 feet along the lead line. This is the only gear which can be used or carried aboard the permitted vessel while the vessel is operating under permit; no other commercial fishing gear may be on the vessel when it is being used under permit.

3. No dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp and all other organisms caught while taking live bait shrimp must be immediately returned to the water. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 16 ounces in weight.

4. Bait shrimp may be taken only from sunrise to sunset; no night fishing is allowed under this permit.

5. The original permit must be in the possession of the person operating the vessel while it is engaged in taking shrimp under the terms of the permit.

6. Each time the permit is used the permittee must notify the Department in the manner specified by the permit. Before the vessel departs the dock under permit the Department must be advised of the time of departure and the general location in which trawling will take place; immediately after the permitted vessel returns to the dock the Department must be notified of its time of return.

7. The permittee shall maintain an up-to-date record of the activities conducted under permit on forms provided by the Department for that purpose. These forms shall be available for inspection by agents of the Department upon request by said agents. Permittee will submit to the Department, not later than September 1, the record of shrimp harvested under permit.

CITATION: LAC 76:VII.329

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:497.C

Historical Note: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 15: (October 1989).



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 29, 1989

M E M O R A N D U M


TO: Chairman Don Hines and Commission Members

FROM: Mike Landrum, Attorney, LDWF

RE: Appeal Brief of Union Exploration Partners, Ltd.

Enclosed, herewith, is the brief of Union which has been sent in connection with their appeal of decision of the Secretary to rescind their Class "B" Use Permit No. 240 and to deny their permit application.

Department representatives will be forwarding a similar package for your consideration.



Mike Landrum, Attorney
LDWF

ML:sb

Enclosure

AGENDA
TEXAS PARKS AND WILDLIFE COMMISSION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NORTH TOLEDO BEND, LOUISIANA STATE PARK
OCTOBER 6, 1989

1. Compatibility of Fishing Regulations in Common Boundary Waters
2. Toledo Bend - Marking off Boat Roads and Removal of Obstructions
3. Licensing Changes Affecting Non-Resident Texas and Louisiana Hunters
4. Saltwater Fisheries (TEDS, Red Fish, Trout)
5. Waterfowl Regulations
6. Other Business

September 29, 1989

M E M O R A N D U M:

TO: Texas Parks and Wildlife Commission

FROM: Virginia Van Sickle and Charles D. Travis

The Joint Commission Meeting between Texas and Louisiana will be at 10:00 A.M., Friday, October 6, 1989 at the North Toledo Bend, Louisiana State Park.

The following items will be on the agenda:

1. Compatibility of Fishing Regulations in Common Boundary Waters
2. Toledo Bend - Marking off Boat Roads and Removal of Obstructions
3. Licensing Changes Affecting Non-Resident Texas and Louisiana Hunters
4. Saltwater Fisheries (TEDS, Red Fish, Trout)
5. Waterfowl Regulations
6. Other Business

Joint Meeting
Louisiana Wildlife and Fisheries Commission
and the
Texas Parks and Wildlife Commission

October 5-6, 1989

Thursday, October 5

Louisiana Wildlife and Fisheries
Commission Monthly Meeting - 2:00-5:00 PM
Welcome Reception and Dinner - 6:30 PM

Friday, October 6 - 9:00 AM

Louisiana Commission meeting - 9:00 AM
Joint meeting - 10:00 AM (Agenda will be mailed week prior to meeting)
in Group Camp Facility

Place: North Toledo Bend State Park

Accommodations:

- Group camp facility or separate cabins available, linens will be provided
- Dinner served at group camp (map attached)

Nearest airport: Many, Louisiana, which is approximately 12 miles from the State Park. Louisiana will provide transportation to and from airport upon request.

September 29, 1989

AGENDA FOR JOINT COMMISSION MEETING
BETWEEN TEXAS AND LOUISIANA

The Joint Commission Meeting between Texas and Louisiana will be at 10:00 A.M., Friday, October 6, 1989 at the North Toledo Bend, Louisiana State Park.

The following items will be on the agenda:

1. Compatibility of Fishing Regulations in Common Boundary Waters
2. Toledo Bend - Marking off Boat Roads and Removal of Obstructions
3. Licensing Changes Affecting Non-Resident Texas and Louisiana Hunters
4. Saltwater Fisheries (TEDS, Red Fish, Trout)
5. Waterfowl Regulations
6. Other Business

FAX



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 26, 1989

M E M O R A N D U M

TO: Dickie Travis
FROM: Virginia Van Sickle *VVS*
RE: Agenda for Joint Commission Meeting

Attached is a draft agenda for the meeting at Toledo Bend. Please fax me any changes you wish to make or agenda items you wish to add. Do you want to send this out on your letterhead?

VVS/pc

September 26, 1989

M E M O R A N D U M

TO: Texas Parks and Wildlife Commission
Louisiana Wildlife and Fisheries Commission

FROM: Virginia Van Sickle and Charles Travis

The Joint Commission meeting between Texas and Louisiana will be at 10:00 AM, Friday, October 6, 1989 at the North Toledo Bend, Louisiana State Park.

The following items will be on the agenda:

1. Compatibility of Fishing Regulations in Common Boundary Waters (Jerry Clark and Gary Matlock)
2. Toledo Bend - Marking of Boat Roads and Removal of Obstructions (Bennie Fontenot)
3. Licensing Changes Affecting Non-Resident Texas and Louisiana Hunters (Bettsie Baker and (TX)).

September 29, 1989

The Joint Commission Meeting between Texas and Louisiana will be at 10:00 A.M., Friday, October 6, 1989 at the North Toledo Bend, Louisiana State Park.

The following items will be on the agenda:

1. Compatibility of Fishing Regulations in Common Boundary Waters
2. Toledo Bend - Marking off Boat Roads and Removal of Obstructions
3. Licensing Changes Affecting Non-Resident Texas and Louisiana Hunters
4. Saltwater Fisheries (TEDS, Red Fish, Trout)
5. Waterfowl Regulations
6. Other Business



COMMISSIONERS

CHUCK NASH
Chairman, San Marcos

GEORGE C. "TIM" HIXON
Vice-Chairman
San Antonio

BOB ARMSTRONG
Austin

EE M. BASS
Ft. Worth

JOE C. BECK, III
Dallas

DELO H. CASAFRANK
Rockport

JOHN WILSON KELSEY
Houston

BEATRICE GARR PICKENS
Amarillo

A.R. (TONY) SANCHEZ, JR.
Laredo

PARKS AND WILDLIFE
4200 Smith

TEXAS
WILDLIFE DEPARTMENT
Austin, Texas 78744

CHARLES O. TRAVIS
Executive Director

FAX COVER SHEET

NOTE: USE BLACK INK ONLY

Date: 9/29/89 Time: 11:35 FAX # (504) 765-2818

Number of Pages (including this page):

To: Virginia Van Sickle

Company: La. Dept. of Wildlife & Fisheries

Telephone #

From: Charles O. Travis

Department/Division:

Phone # : (512) 389-4802

Note:

RECEIVED
LA. WILDLIFE & FISHERIES
OFFICE OF THE SECRETARY

89 SEP 29 PM 12:19



TEXAS
PARKS AND WILDLIFE DEPARTMENT

4200 Smith School Road Austin, Texas 78744

CHARLES D. TRAVIS
Executive Director

COMMISSIONERS

CHUCK NASH
Chairman San Marcos

GEORGE C. "TIM" HIXON
Vice-Chairman
San Antonio

BOS ARMSTRONG
Austin

LEE M. BASS
Ft. Worth

C. BECK, III

W. J. H. CASPARY
Pockport

JOHN WILSON KELSEY
Houston

BEATRICE CARR PICKENS
Amarillo

A.R. (TONY) SANCHEZ, JR.
Laredo

September 29, 1989

To: Virginia Van Sickle
From: Charles D. Travis
Subject: Agenda for Joint Commission Meeting

Attached is the draft agenda for the meeting at Toledo Bend with a couple of items added. Please let me know if this is satisfactory with you.

If you have no other changes, I will send it to our Commission members on TPWD letterhead.

A handwritten signature in cursive script, appearing to read "Dicky", written over the printed name "Charles D. Travis".

Charles D. Travis

CDT:frh

Attachment

M E M O R A N D U M

TO: Texas Parks and Wildlife Commission
Louisiana Wildlife and Fisheries Commission

FROM: Virginia Van Sickle and Charles D. Travis

The Joint Commission meeting between Texas and Louisiana will be at 10:00 a.m., Friday, October 6, 1989 at the North Toledo Bend, Louisiana State Park.

The following items will be on the agenda:

1. Compatibility of Fish Regulations in Common Boundary Waters
~~(Jerry Clark and Gary Matlock)~~
2. Toledo Bend - Marking of Boat Roads and Removal of
Obstructions ~~(Dennis Fontenot)~~
3. Licensing Changes Affecting Non-Resident Texas and Louisiana
Hunters ~~(Bettie Baker and TH)~~
4. Saltwater Fisheries (TEDS, Red Fish, Trout)
5. Waterfowl ~~(Dennis Fontenot)~~ *Regulations*
6. Other business

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

VIRGINIA VAN SICKLE
SECRETARY

POST OFFICE BOX 98000
BATON ROUGE, LA 70898

BUDDY ROEMER
GOVERNOR

September 28, 1989

M E M O R A N D U M

TO: Virginia Van Sickle

FROM: Sharyn Bateman *JS*

RE: Rules, and Notices of Intent to be presented at the
October 5-6, 1989, Commission Meeting

Listed below are the rules and notice of intents that are to be presented at the Commission meeting at North Toledo Bend, Louisiana State Park.

- 1) Ratification of Rule on Paddle Closure
- 2) Ratification of Rule on Shrimp Bait Dealer Permit Regulation
- 3) Ratification of Rule on Spanish and King Mackerel Recreational Limits
- 4) Notice of Intent on Black Bass Regulations, Chico Lake
- 5) Notice of Intent and Emergency Declaration on Oyster Season Calcasieu Lake
- 6) Notice of Intent and Emergency Declaration on Black Drum Harvest Regulations
- 7) Notice of Intent on Fish and Wildlife Values

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NORTH TOLEDO BEND, LOUISIANA STATE PARK
OCTOBER 5-6, 1989

1. Roll Call
2. Approval of Minutes of September 7-8, 1989
3. Grant Parish DOTD Mitigation Lands - Tommy Prickett
4. Appeal of Rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 250 - Union Oil and Gas Division, Unocal Corporation - Mike Landrum
5. Ratification - Paddlefish Closure - Bennie Fontenot
6. Notice of Intent - Black Bass Regulations, Chicot Lake - Bennie Fontenot
7. Discussion - Commission Authority to Set Channel Catfish Limits - Bennie Fontenot
8. Notice of Intent and Declaration of Emergency - Oyster Season Calcasieu Lake - Phil Bowman
9. Oyster Season Update and Notice of Possible Season and Harvest Restriction Alteration - Phil Bowman
10. Ratification of Shrimp Bait Dealer Permit Regulation - Phil Bowman
11. Ratification of Spanish and King Mackerel Recreational Limits - John Roussel
12. Notice of Intent and Declaration of Emergency Black Drum Harvest Regulations - Jerry Clark
13. Notice of Intent - Fish and Wildlife Values - Jerry Clark
14. Update on New Orleans Building - Bettsie Baker
15. Ducks Unlimited Contribution Update - Bettsie Baker
16. Law Enforcement Report - Winton Vidrine

17. Secretary's Report to the Commission

18. December Meeting Date 14th and 15th

OTHER BUSINESS

PUBLIC COMMENTS

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

POST OFFICE BOX 98000
BATON ROUGE, LA. 70898

VIRGINIA VAN SICKLE
SECRETARY

BUDDY ROEMER
GOVERNOR

September 25, 1989

MEMORANDUM

TO: Chairman and Members of Commission
FROM: Virginia Van Sickles *VVS*
RE: October Board Meeting

The next regular public board meeting as set by the Commission will be at 2:00 PM on Thursday, October 5, 1989, at the North Toledo Bend, Louisiana State Park.

On Friday, October 6th, the meeting will be continued at the same location at 9:00 AM. An agenda for the Joint Meeting on Friday will be out by this Thursday.

1. Approval of Minutes of September 7-8, 1989

HUGH BATEMAN

2. Grant Parish DOTD Mitigation Lands

DON PUCKETT

3. Appeal of rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 250 - Union Oil and Gas Division, Unocal Corporation

JERRY CLARK

4. Ratification - Paddlefish Closure
5. Notice of Intent - Black Bass Regulations, Chicot Lake
6. Discussion - Commission Authority to Set Channel Catfish Limits
7. Notice of Intent and Declaration of Emergency - Oyster Season Calcasieu Lake

Page 2
September 25, 19889

8. Oyster Season Update and Notice of Possible Season and Harvest Restriction Alteration
9. Ratification of Shrimp Bait Dealer Permit Regulation
10. Ratification of Spanish and King Mackerel Recreational Limits
11. Notice of Intent and Declaration of Emergency Black Drum Harvest Regulations
12. Notice of Intent - Fish and Wildlife Values

BETTSIE BAKER

13. Update on New Orleans Building
14. Ducks Unlimited Contribution Update

WINTON VIDRINE

15. Law Enforcement Report

VIRGINIA VAN SICKLE

16. Secretary's Report to the Commission

OTHER BUSINESS

17. December Meeting Date 14th and 15th

VVS:sb

C: Don Puckett
Kell McInnis
Bettsie Baker
Jerry Clark
John Medica
Division Chiefs

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

VIRGINIA VAN SICKLE
SECRETARY

POST OFFICE BOX 98000
BATON ROUGE, LA. 70898

BUDDY ROEMER
GOVERNOR

September 25, 1989

MEMORANDUM

TO: Chairman and Members of Commission
FROM: Virginia Van Sickle *VVS*
RE: October Board Meeting

The next regular public board meeting as set by the Commission will be at 2:00 PM on Thursday, October 5, 1989, at the North Toledo Bend, Louisiana State Park.

On Friday, October 6th, the meeting will be continued at the same location at 9:00 AM. An agenda for the Joint Meeting on Friday will be out by this Thursday.

1. Approval of Minutes of September 7-8, 1989

HUGH BATEMAN

2. Grant Parish DOTD Mitigation Lands

DON PUCKETT

3. Appeal of rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 250 - Union Oil and Gas Division, Unocal Corporation

JERRY CLARK

4. Ratification - Paddlefish Closure
5. Notice of Intent - Black Bass Regulations, Chicot Lake
6. Discussion - Commission Authority to Set Channel Catfish Limits
7. Notice of Intent and Declaration of Emergency - Oyster Season Calcasieu Lake

8. Oyster Season Update and Notice of Possible Season and Harvest Restriction Alteration
9. Ratification of Shrimp Bait Dealer Permit Regulation
10. Ratification of Spanish and King Mackerel Recreational Limits
11. Notice of Intent and Declaration of Emergency Black Drum Harvest Regulations
12. Notice of Intent - Fish and Wildlife Values

BETTSIE BAKER

13. Update on New Orleans Building
14. Ducks Unlimited Contribution Update

WINTON VIDRINE

15. Law Enforcement Report

VIRGINIA VAN SICKLE

16. Secretary's Report to the Commission

OTHER BUSINESS

17. December Meeting Date 14th and 15th

VVS:sb

C: Don Puckett
Kell McInnis
Bettsie Baker
Jerry Clark
John Medica
Division Chiefs

AGENDA FOR COMMISSION MEETING

The regular monthly meeting of the Louisiana Wildlife and Fisheries Commission will be at 2:00 P.M. on Thursday, October 5th, 1989 at North Toledo Bend, Louisiana State Park. On Friday, September 6th, the Commission will resume its regular meeting at 9:00 A.M. At 10:00 A.M. on Friday a joint meeting between the Texas and Louisiana Commissions will be held.

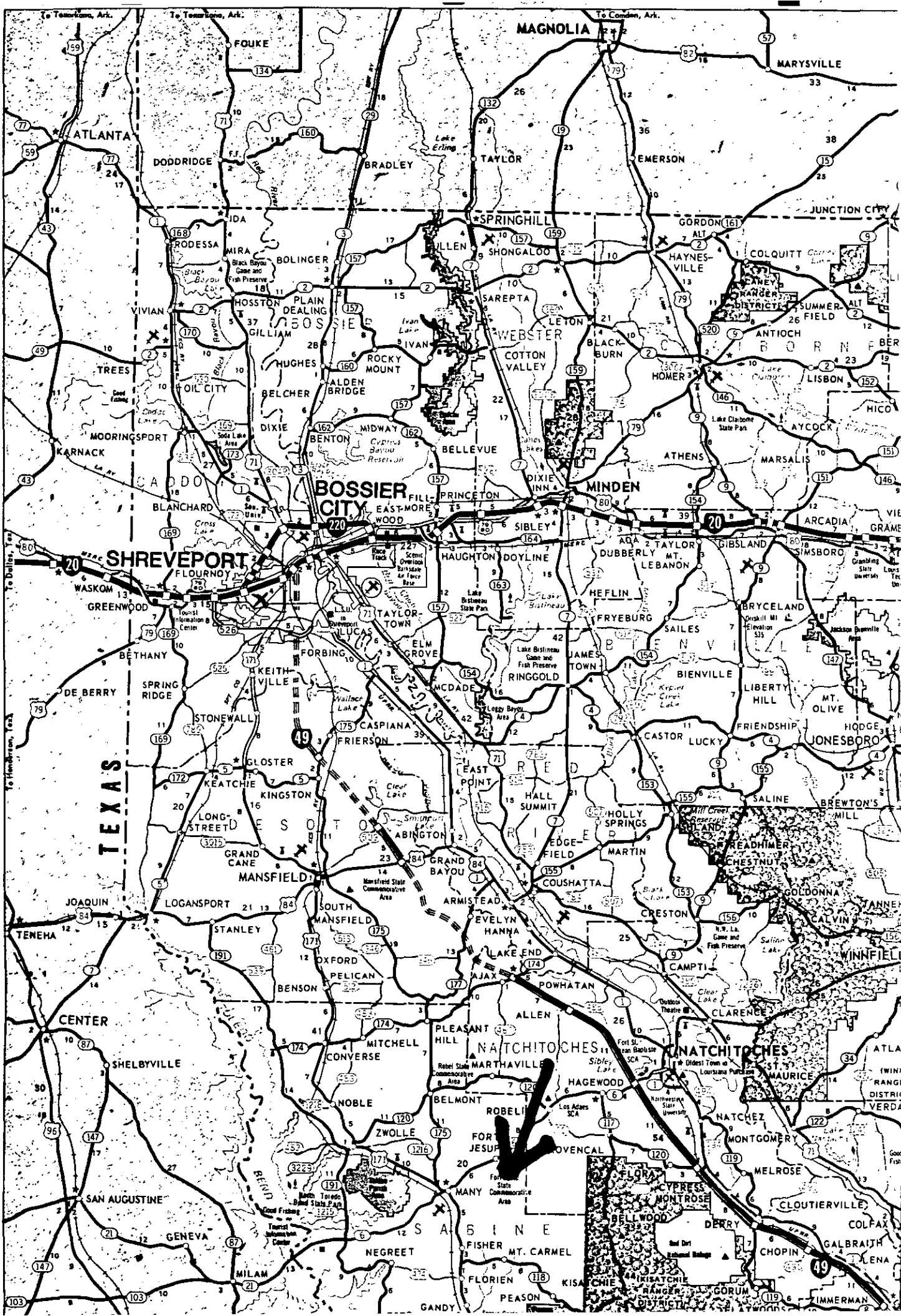
The following items will be on the agenda:

1. Roll Call
2. Approval of Minutes of September 7-8, 1989
3. Grant Parish DOTD Mitigation Lands
4. Appeal of Rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 250 - Union Oil and Gas Division, Unocal Corporation
5. Ratification - Paddlefish Closure
6. Notice of Intent - Black Bass Regulations, Chicot Lake
7. Discussion - Commission Authority to Set Channel Catfish Limits
8. Notice of Intent and Declaration of Emergency - Oyster Season Calcasieu Lake
9. Oyster Season Update and Notice of Possible Season and Harvest Restriction Alteration
10. Ratification of Shrimp Bait Dealer Permit Regulation
11. Ratification of Spanish and King Mackerel Recreational Limits
12. Notice of Intent and Declaration of Emergency Black Drum Harvest Regulations
13. Notice of Intent - Fish and Wildlife Values

14. Update on New Orleans Building
15. Ducks Unlimited Contribution Update
16. Law Enforcement Report
17. Secretary's Report to the Commission
18. December Meeting Date 14th and 15th

OTHER BUSINESS

PUBLIC COMMENTS



September 18, 1989

Joint Meeting
Louisiana Wildlife and Fisheries Commission
and the
Texas Parks and Wildlife Commission

October 5-6, 1989

Thursday, October 5 - 2:00 PM - 5:00 PM
Louisiana Wildlife and Fisheries
Commission Monthly Meeting
Welcome Reception and Dinner - 6:30 PM

Friday, October 6 - 9:00 AM
Joint meeting (Agenda will be mailed week prior to meeting)
in Group Camp Facility

Accommodations:

North Toledo Bend State Park

- Group camp facility or separate cabins available, linens will be provided
- Dinner served at group camp (map attached)

Nearest airport: Many, Louisiana, which is approximately 12 miles from the State Park. Louisiana will provide transportation to and from airport upon request.

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

VIRGINIA VAN SICKLE
SECRETARY

POST OFFICE BOX 98000
BATON ROUGE, LA 70898

BUDDY ROEMER
GOVERNOR

August 24, 1989

Honorable Joe R. Salter
Louisiana State Representative
P. O. Box 250
Florien, LA 71429

Dear Joe,

Thank you so much for the invitation from Mr. Hayes for the fish fry the evening of our Commission meeting at Toledo Bend. We have already made plans to feed both the Texas Commission and the Louisiana Wildlife and Fisheries Commission that evening but I would like for you to join us. I'll be contacting you in this regard.

Sincerely,

Virginia Van Sickle

VVS/pc



JOE R. SALTER
DISTRICT 24

STATE OF LOUISIANA
HOUSE OF REPRESENTATIVES

P. O. BOX 250
FLORIEN, LOUISIANA 71429
(318) 256-3606 MANY
(318) 932-3752 COUSHATTA

EDUCATION
APPROPRIATIONS

August 7, 1989

Mrs. Virginia VanSickle, Secretary
Department of Wildlife and Fisheries
P. O. Box 98000
Baton Rouge, Louisiana 70898

Dear Ms. ^{Virginia} ~~VanSickle~~:

In an earlier telephone conversation, you mentioned that a joint commission meeting was to be held with Texas on Toledo Bend in the fall. W. E. Hayes, interim executive director for the Sabine River Authority, indicated that he would be glad to help with a fish fry on this occasion. If you think this would be appropriate, please let me know the date and other details so that we can make the necessary plans.

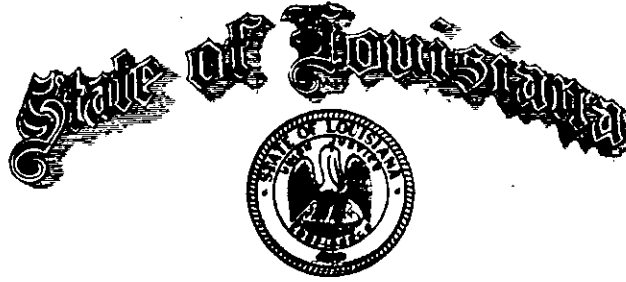
Sincerely,

Joe R. Salter

JRS/dat

LA HOUSE & SENATE
RECEIVED
OFFICE OF THE SECRETARY

89 AUG 11 AID : 59



Johnnie

VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

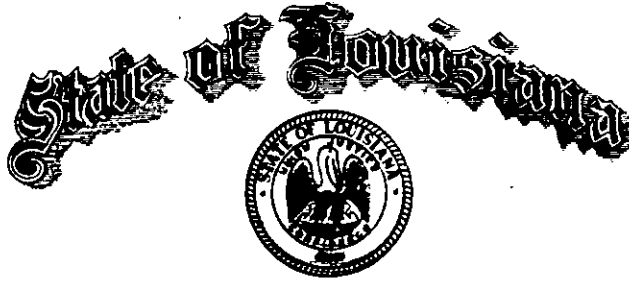
Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

None

SEP 13



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

Paula

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

Don's unlimited contribution

update -
N.O. Bldgs -

Boltsu

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

VIRGINIA VAN SICKLE
SECRETARY

POST OFFICE BOX 98000
BATON ROUGE, LA 70898

BUDDY ROEMER
GOVERNOR

September 11, 1989

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo by Monday, September 22nd, any agenda items for the meeting at the North Toledo Bend, Thursday and Friday, October 5-6, 1989 anything for the agenda, please return memo on the bottom of this memo. We cannot add anything that requires commission action after we publish it in the state journal.

Shannon
Call me when you return
Tony

by for ark, have this enda enda

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

Resolution
Planning New WMA - Grant Parish

Grant Parish DOTD mitigation lands

OFFICE OF FISHERIES
Routing Slip

Out: 9/15/89
Due: _____
In: _____

Marine Fish Division:			Office of the Secretary:			Inland Fish Division:		
To:	From:		To:	From:		To:	From:	
_____	Clark	<u>X</u>	_____	Van Sickle	_____	_____	Clark	<u>X</u>
<u>X</u>	Perret	_____	_____	Clark	_____	<u>X</u>	Fontenot	_____
<u>X</u>	Bowman	_____	_____	Baker	_____	_____	Lee	_____
_____	Boudreaux	_____	_____	McInnis	_____	_____	Williams	_____
_____	Roussel	_____	_____	Puckett	_____	_____	Brassette	_____
_____	Barrett	_____	_____	Soileau	_____	_____	Arnoldi	_____
_____	Dugas	_____	_____	Callais	_____	_____	Tilyou	_____
_____	Chatry	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____

Action:

- _____ Please see me about this matter _____
- _____ For your information
- X Take appropriate action - *return to my office by 9/21/89*
- _____ Please look into this matter and prepare a written response
for my signature and return a copy of your reply for filing
- _____ within 72 hours
- _____ within 5 days
- _____ Prepare options for my consideration by _____

Note:

Response:



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

- ① Notice of Intent & Declaration of EMERGENCY oyster season Caledonia Lake
- ② oyster season update AND notice of possible season & harvest restriction alteration
- ③ Ratification of shrimp bait dealer Permit Regulation
- ④ Ratification of Spanish & King Mackerel recreational limits.
- ⑤ Notice of Intent & Declaration of EMERGENCY Black Drum harvest Regulations.

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES

SEP 13 1989

ASSISTANT SECRETARY
OFFICE OF FISHERIES



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle VVS

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

Inland Fish Division - Bernice Fontenot

1) Ratification - "Paddlefish Closure"

2) Notice of Intent - "Black Bass

Regulation, Chicot Lake, "

3) Discussion - Commission Authority To Set Channel Catfish Size Limits -

AN EQUAL OPPORTUNITY EMPLOYER

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES

SEP 13 1989

ASSISTANT SECRETARY
OFFICE OF FISHERIES



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

For Thurs. Oct 5.

C: Don Puckett
Bob Dennie

*Appeal of rescission of LA.
Nat. & Scenic Rivers Class B Use
Permit No. 240 - Union Oil and
Gas Division, Unocal Corp.*



RECEIVED
SEP 13 1989
INFORMATION &
EDUCATION DIV.

VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

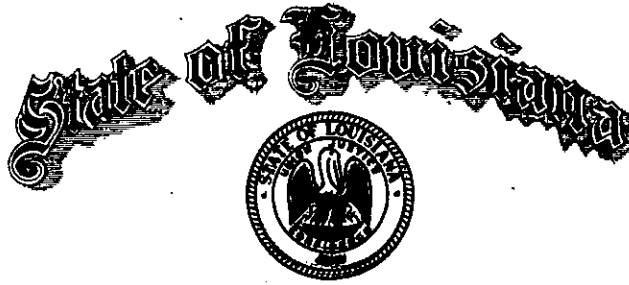
Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

*Nothing for T&E Bob Dennie
9-14-89*



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle VVS

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

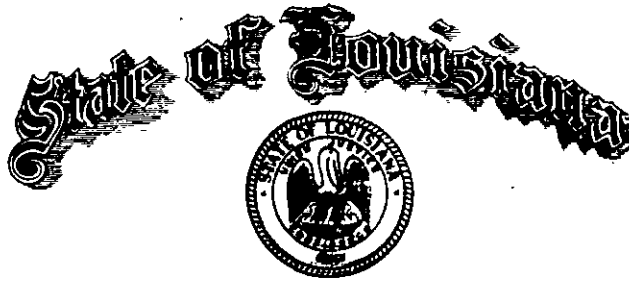
Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

Gary Lester



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

none - Gary Lester - 13 Sept 89

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

POST OFFICE BOX 98000
BATON ROUGE, LA 70898

VIRGINIA VAN SICKLE
SECRETARY

BUDDY ROEMER
GOVERNOR

September 11, 1989

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Monday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

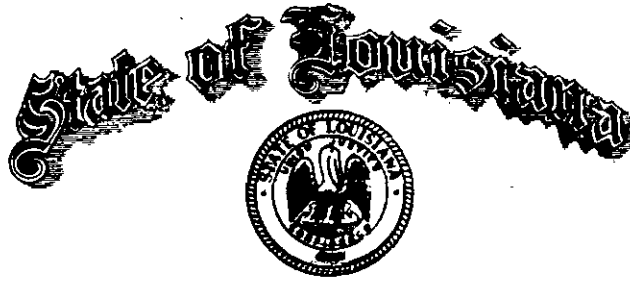
Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

Enforcement Report
W.V.



RECEIVED
Habitat Conservation Div.

SEP 15 1989

VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 11, 1989

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Friday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

Wildlife Values
late #3 about
Bayou Penchant Adjudication

M. J. Wilson
9/28/89

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

POST OFFICE BOX 88000
BATON ROUGE, LA 70898

VIRGINIA VAN SICKLE
SECRETARY

BUDDY ROEMER
GOVERNOR

September 11, 1989

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Monday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

POST OFFICE BOX 98000

BATON ROUGE, LA. 70898

VIRGINIA VAN SICKLE
SECRETARY

BUDDY ROEMER
GOVERNOR

September 11, 1989

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Monday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES

POST OFFICE BOX 88000
BATON ROUGE, LA 70898

VIRGINIA VAN SICKLE
SECRETARY

BUDDY ROEMER
GOVERNOR

September 11, 1989

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle

RE: Commission Meeting Agenda - October 5-6, 1989

Please write on the bottom of this memo and return to me by Monday, September 22nd, any agenda items your Office may have for the meeting at the North Toledo Bend, Louisiana State Park, Thursday and Friday, October 5-6, 1989. If you do not have anything for the agenda, please return memo to me and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

VIRGINIA VAN SICKLE
Secretary

89-113



9/26/89

Contact
(504) 765-2917

AGENDA FOR COMMISSION MEETING

The regular monthly meeting of the Louisiana Wildlife and Fisheries Commission will be at 2 p.m. on Thursday, Oct. 5, at North Toledo Bend, Louisiana State Park. On Friday, Oct. 6, the commission will resume its regular meeting at 9 a.m.

At 10 a.m. on Friday, a joint meeting between the Texas and Louisiana commissions will be held.

The following items will be on the agenda for the regular meeting:

- 1.) Roll call.
- 2.) Approval of minutes of Sept. 7-8.
- 3.) Grant Parish DOTD mitigation lands.
- 4.) Appeal of rescission of Louisiana Natural and Scenic Rivers Class B Use Permit No. 250 -- Union Oil and Gas Division, Unocal Corporation.
- 5.) Ratification -- paddlefish closure.
- 6.) Notice of intent -- black bass regulations, Chicot Lake.
- 7.) Discussion -- commission authority to set channel catfish limits.
- 8.) Notice of intent and declaration of emergency -- oyster season, Calcasieu Lake.
- 9.) Oyster season update and notice of possible season and harvest restriction alteration.
- 10.) Ratification of shrimp bait dealer permit regulation.
- 11.) Ratification of Spanish and king mackerel recreational limits.
- 12.) Notice of intent and declaration of emergency black drum harvest regulations.
- 13.) Notice of intent -- fish and wildlife values.
- 14.) Update on New Orleans building.
- 15.) Ducks Unlimited contribution update.
- 16.) Law enforcement report.
- 17.) Secretary's report to the commission.
- 18.) December meeting date Dec. 14-15.

OTHER BUSINESS.

PUBLIC COMMENTS.

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

VIRGINIA VAN SICKLE
Secretary



Contact
(604) 755-2917

89-115

10/2/89

AGENDA FOR JOINT COMMISSION MEETING BETWEEN TEXAS AND LOUISIANA

A joint commission meeting between Texas and Louisiana will be held at 10 a.m. Friday, Oct. 6, at the North Toledo Bend Louisiana State Park.

The following items will be on the agenda:

- 1.) Compatibility of fishing regulations in common boundary waters.
- 2.) Toledo Bend -- marking off boat roads and removal of obstructions.
- 3.) Licensing changes affecting non-resident Texas and Louisiana Hunters.
- 4.) Saltwater fisheries (TEDs, red fish, trout.)
- 5.) Waterfowl regulations.

OTHER BUSINESS.

PUBLIC COMMENTS.

Salter (W.E. Hays)
called 8-7-89
J.B.

Paula -

Please call Rep. Joe
Salter and let him
know when we
set up a meeting
at Toledo Bend
w/ the Texas Commission.

VKS

October 5-6

Toledo Bend Meeting

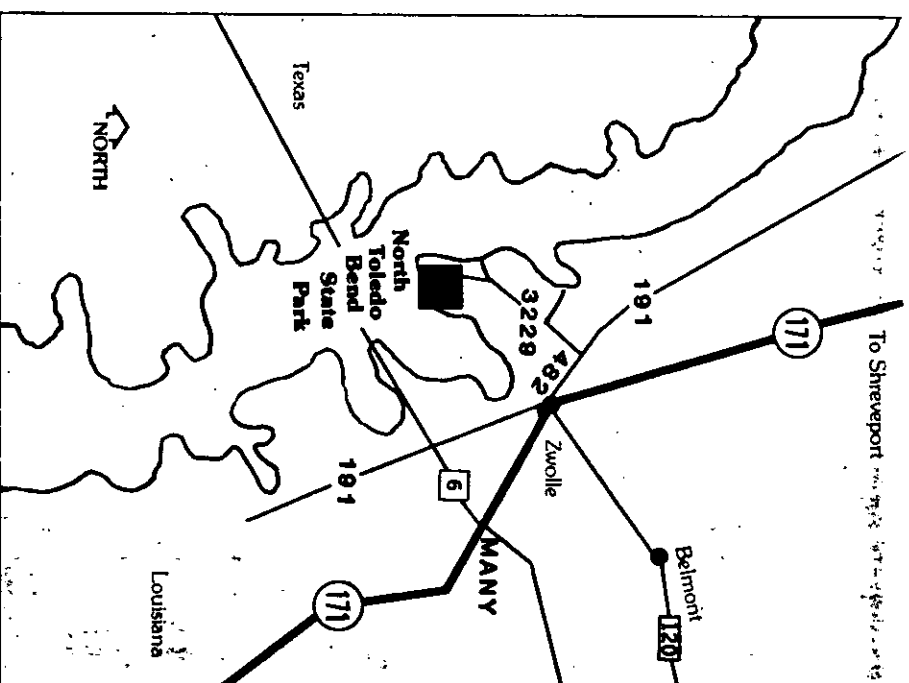
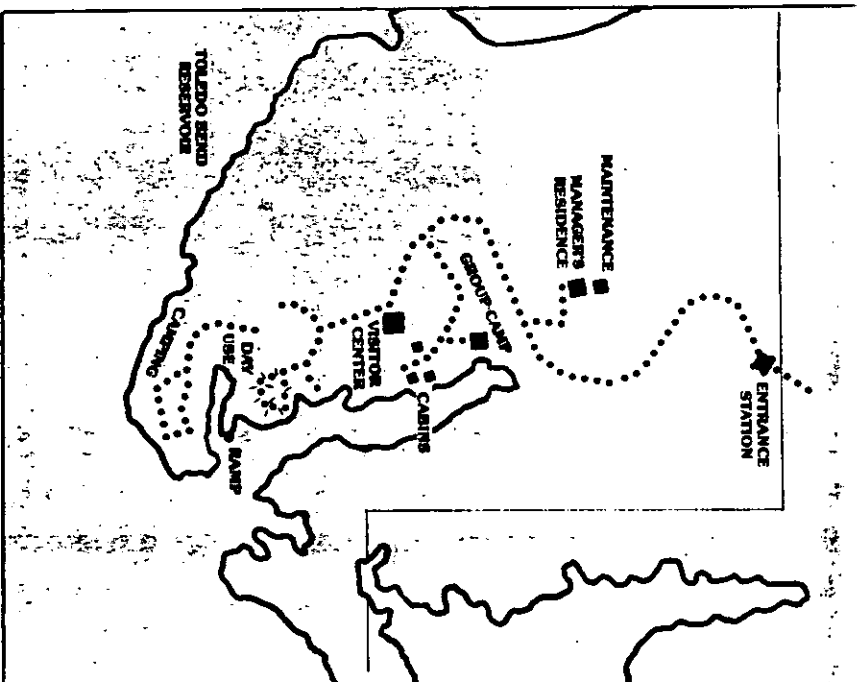
318-256-3523

North 1

318-256-9228

Sent

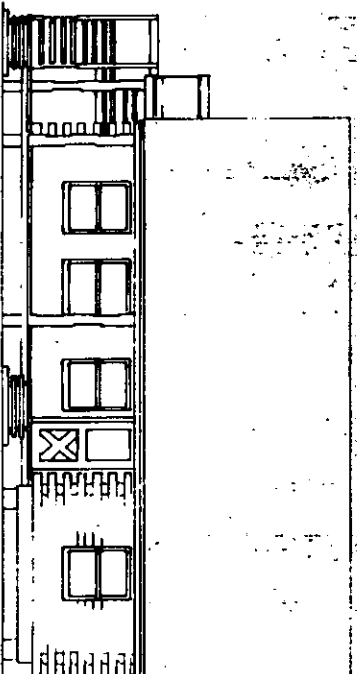
Copy of Agenda once finalized



North Toledo Bend State Park (P. O. Box 56, Zwolle, LA 71486, 318-645-4715), is located approximately 9 miles southwest of Zwolle, off LA 3229. From Zwolle, take LA 482 west, then north on LA 191/LA 482, continuing on LA 482 to LA 3229.

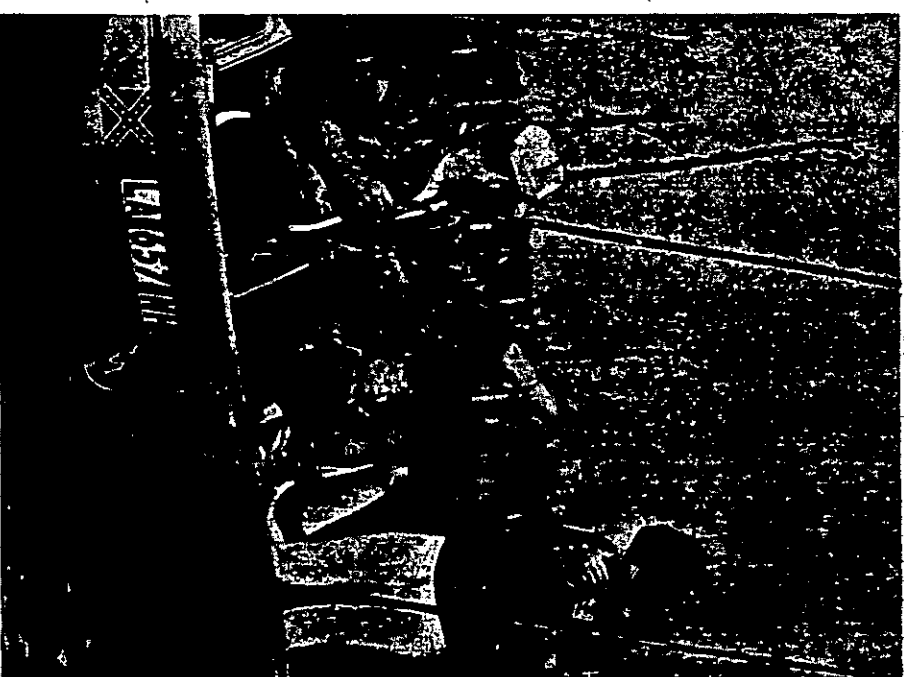
**DEPARTMENT OF CULTURE,
RECREATION AND TOURISM
OFFICE OF STATE PARKS**
P. O. Box 44426, Baton Rouge, La. 70804
Telephone (504) 342-8111

This public document was published at a total cost of \$1,649.36. Thirty thousand (30,000) copies of this public document were published in this first printing at a cost of \$1,649.36. The total cost of all printings of this document, including reprints is \$1,649.36. This document was published for Department of Culture, Recreation and Tourism, Office of State Parks, P. O. Box 44426, Baton Rouge, Louisiana 70804 by the Division of Administration, State Printing Office, to give the public general information concerning the Parks and State Commemorative Areas and also used in promoting a better tourist trade of Louisiana under the authority of special exception by Division of Administration. This material was printed in accordance with the standards for printing by state agencies established pursuant to R.S. 43:31.



GROUP ACTIVITIES—From Boy Scout troops to senior citizens' organizations, a group camping event finds perfect facilities at North Toledo Bend's group camp with five dormitories. A kitchen/dining facility and restrooms with showers are also included in the group camp.

WELCOME TO



**NORTH
TOLEDO
BEND**

Louisiana State Park

Recreation Among the Pines and Along the Waters of Toledo Bend Reservoir

On the eastern shore of one of the country's largest manmade reservoirs, clean and cool waters gently touch the edges of North Toledo Bend State Park. The Toledo Bend Reservoir provides visitors to the park with an opportunity for a wide variety of water-related activities in a pleasant environment. More than 900 acres of pine-filled lands are available for camping, picnicking, hiking and relaxing in the heart of nature. Whether you're picnicking for an afternoon, camping overnight or roughing it in the woods for several days, North Toledo Bend is the perfect spot.

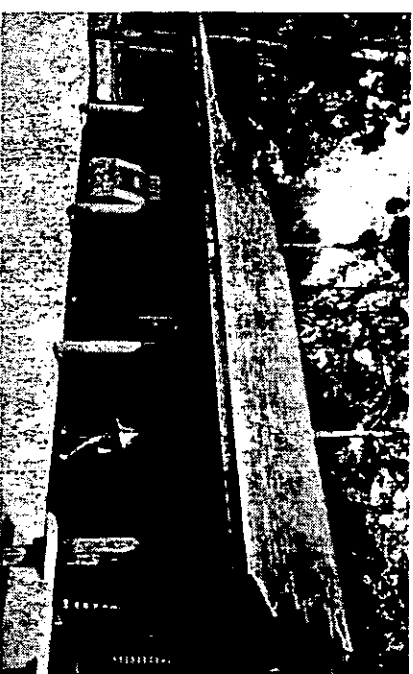
The Toledo Bend Reservoir covers approximately 185,000 acres, includes 1200 miles of shoreline, and is contained by a dam completed in 1969. This reservoir project was jointly developed by Texas and Louisiana for the purposes of water supply, electricity generation, and recreation. Water oriented recreation facilities, both public and private, are found along the full length of the lake on the shorelines of both states.

Recreation Among The Pines

North Toledo Bend State Park is situated on a peninsula which extends into the reservoir at the mouth of Bayou San Miguel. The land consists of rolling uplands and interconnected ravines and valleys. The



Don't be fooled by the rustic look of logs. These



Convenience is only a few steps away, at the centrally located camp store and laundry.

park site lies in a region of major lumbering activity, with a mixed pine and hardwood forest covering most of the park.

A spacious and attractive Visitor Center complex contributes to the park's year-round versatility and appeal. In the main building is a meeting room which can be reserved for group functions. Also within the complex is an olympic size swimming pool and a bathhouse. A camping supply store and laundry complete the complex and provide visitors with all the necessities and extras that might be needed during a long or short stay in the park.

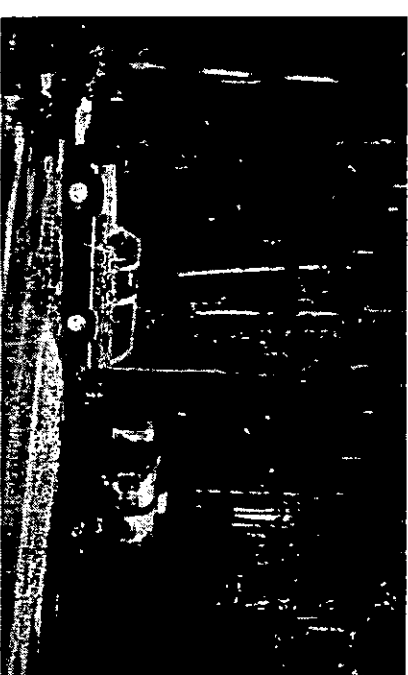
Adjacent to the visitor center complex is the picnic area, where picnic sites, shelters and a restroom are nestled among the pines.

Camping and Water Sports

North Toledo Bend State Park is a camper's delight for those who sleep in tents or for those who prefer a roof over their heads. The park contains 63 campsites, each equipped with water and electricity hookups. Ten vacation cabins at the park will comfortably accommodate up to eight people each. And for those who stay in fall or winter, fireplaces add a warm glow. Some cabins feature boardwalk ramps for wheelchair bound visitors.

Large groups of visitors may reserve the group camp, which consists of five dormitories, a large bathhouse, and a central kitchen-dining building.

A boat launch area, featuring a spacious ramp, large parking lot, and fish cleaning station, provides access to the reservoir. Organizations associated with the Toledo Bend Reservoir host numerous fishing competitions which attract fishermen from around the country. Fishing, swimming, boating, hiking, picnicking, and relaxing — all this and more are yours to enjoy at North Toledo Bend State Park.



Campers enjoy the solitude and beauty of the pine forest.



Compatible with its surroundings, the camperound's bathhouse reflects the log

Clark
Commissioner

Louisiana



Oyster Dealers & Growers Assn.

P.O. BOX 2440

COVINGTON, LOUISIANA 70434

September 29, 1989

Virginia Van Sickle, Secretary
Louisiana Department of Wildlife & Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000

Dear Secretary Van Sickle:

At our September association meeting, the membership unanimously passed motions concerning two very important issues to our industry. We respectfully request that you maintain the closure of the state's public oyster grounds between the Mississippi River Gulf Outlet and the Mississippi River and in Hackberry Bay, to allow the recent spatfall to survive for next year's seed harvest. The recent spatfall in these areas has been encouraging! Maintaining these closures will eliminate dredge-induced mortalities, helping next season's seed crop.

We also request that the department use the 60% it receives from the new \$100 oyster harvesting license be spent completely on oyster enforcement efforts. Please inform us on the present funding for such efforts and the anticipated revenue for the department from the license. Will the department then be able to afford separate day and night oyster patrolling?

Gratefully,

Peter Vujnovich

Peter Vujnovich
President

PV:jes

cc: Mr. Ron Dugas

RECEIVED
OFFICE OF THE SECRETARY
LA
SEP 29 1989

15:01 1 SEP 89

ENFORCEMENT DIVISION

SEPTEMBER '89

CASE REPORT

ENFORCEMENT DIVISION SEPTEMBER '89 CASE REPORT

REGION 1

TOTAL CASES-75

ENFORCEMENT-75

OTHER - 0

14-Boating
17-Angling W/O A License
17-Fish Without Resident Pole License
1-Take Undersize Black Bass
4-Hunting W/O Resident License
2-Hunting W/Unplugged Gun Or Silencer
1-Buying And/Or Selling Wild Quadrupeds Or Wild Birds
15-Hunting MGB Over Baited Area
2-Illegal Spotlighting From Public Road
2-Littering

CONFISCATIONS:

12 doves, 3 black bass.

REGION 2

TOTAL CASES-94

ENFORCEMENT-94

OTHER - 0

19-Boating
15-Angling W/O A License
24-Fish Without Resident Pole License
1-Sell And/Or Buy Fish W/O Wholesale /Retail Dealer's License
2-Hunting W/O Resident License
2-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way
3-Hunting MGB With Unplugged Gun
17-Hunting MGB Over Baited Area

Page (2)

REGION 2 CONT'D.

1-Possess Over Limit of Doves

1-D.W.I.

5-Littering

CONFISCATIONS:

17 doves.

REGION 3

TOTAL CASES-62

ENFORCEMENT-59

OTHER - 3

16-Boating

17-Angling W/O A License

2-Fish Without Resident Pole License

2-Take Undersize Black Bass

1-Take Or Sell Commercial Fish Or Bait Species Without Commercial License

2-Take Commercial Fish W/O Commercial Gear License

1-Hunting W/O Resident License

1-Possess Wild Birds Or Wild Quadrupeds W/O A License

1-Hunting W/Unplugged Gun Or Silencer

2-Hunt Squirrel Closed Season

1-Hunt MGB With Unplugged Gun

1-Hunting MGB Illegal Hours

2-Hunting MGB Over Baited Area

4-Not Abiding By Rules And Regulations On WMA

6-Resisting Arrest

2-Illegal Spotlighting From A Public Road

Page (3)

REGION 3 CONT'D.

CONFISCATIONS:

6 squirrels, 1 doe deer, 4 guns.

REGION 4

TOTAL CASES-30

ENFORCEMENT-29

OTHER - 1

4-Boating

11-Angling W/O A License

3-Fish Without Resident Pole License

1-Take Or Sell Commercial fish Or Bait Species Without Commercial License

2-Take Commercial Fish W/O Commercial Gear License

5-Hunting W/O Resident License

2-Hunting W/Unplugged Gun Or Silence

1-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way

1-Not Abiding By Rules And Regulations On WMA

CONFISCATIONS:

2 squirrels.

REGION 5

TOTAL CASES-218

ENFORCEMENT-165

OTHER - 53

67-Boating

64-Angling W/O A License

3-Possess O/L Of Spotted Sea Trout Or Red Drum

10-Take Or Possess Undersize Red Drum Or Spotted Sea Trout

1-Fail To Have Commercial License In Possession

20-Take Or Sell Commercial Fish Or Bait Species Without Commercial License

REGION 5 CONT'D.

6-Take Commercial Fish W/O Commercial Gear License

10-Take Or Possess Commercial Fish Without A Vessel License

1-Possession Of Red Drum And Spotted Sea Trout Illegally

2-Leave Nets Unattended

1-Take Or Possess Undersize Commercial Fish

1-Fail To Comply W/Permit Req.

1-Fail To Comply With Closure Order

1-Use Oversize Trawls

2-Taking Oysters From Unapproved Area

9-Take Undersize Oysters From Natural Reef

1-Failure To Fill Out Oyster Tags Correctly

7-Hunting W/O Resident License

1-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way

1-Possession Of Wild Quadrupeds Or Wild Birds Without Permit

1-Hunt Quail Closed Season

1-Take Alligators From Other Than Approved Area

1-Possession Of Live Non-Game Quadrupeds Without Permit

4-Hunting MGB With Unplugged Gun

1-Hunting MGB Illegal Hours

1-Littering

CONFISCATIONS:

1-35 foot trawl, 4-38 foot trawls, 1- 58 trawl, 55 red drum, 1 Mercury outboard motor, 1 dove, 1 quail, 43 1/2 lbs. catfish, 1 bobcat, 1 1/2 foot alligator, 67 lbs. shrimp, 11 speckled trout, 150 foot gill net, 100 sacks oyster, 6 alligators.

REGION 6

TOTAL CASES-205

ENFORCEMENT-201

OTHER - 4

69-Boating

71-Angling W/O A License

10-Fish Without Resident Pole License

4-Use Gear W/O Recreational Gear License

3-Angling W/O Saltwater License

1-Take Game Fish Illegally

2-Not Abiding By Commission Rules And Regulations

1-Fail To Have Commercial License In Possession

5-Take Or Sell Commercial Fish Or Bait Species Without Commercial License

2-Take Commercial Fish W/O Commercial Gear License

2-Take Or Possess Commercial Fish Without A Vessel License

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

1-Transport W/O Required License

11-Take Or Possess Undersize Commercial Fish

2-Take Undersize Oysters From Natural Reef

1-Using Illegal Gear For Taking Oysters On Public Grounds

1-Failure To Display Proper Number On Vessel

2-Hunting W/O Resident License

1-Possess Wild Birds Or Wild Quadrupeds W/O A License

3-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way

2-Possession Of Illegally Taken Deer Or Bear

2-Possession Of Live Alligators

1-Fail To Comply With Alligator Parts Tagging Required

Page (6)

REGION 6 CONT'D.

- 2-Possess Untagged MGB
- 1-Taking Ibis-No Season
- 1-D.W.I.
- 2-Theft of State Property
- 1-Using Untagged Nets

CONFISCATIONS:

2 alligators, 11 doves, 3 ibis, 1 deer, 46 catfish, 2 fishing licenses, 1 drivers license, 1 boat, 1 motor, 1 trailer, 1 pickup truck.

REGION 7

TOTAL CASES-113

ENFORCEMENT-113

OTHER - 0

- 36-Boating
- 39-Angling W/O A License
- 6-Fish Without Resident Pole License
- 1-Use Gear W/O Recreational Gear License
- 3-Angling W/O Saltwater License
- 2-Take Or Possess Undersize Red Drum Or Spotted Sea Trout
- 1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
- 6-Hunting W/O Resident License
- 7-Hunting W/Unplugged Gun Or Silencer
- 1-Hunt Squirrel Closed Season
- 1-Hunt Or Take Deer Or Bear Closed Season
- 1-Fail To Tag Alligator Upon Taking
- 5-Hunting MGB Over Baited Area

Page (7)

REGION 7 CONT'D.

2-Hunting Doves Closed Season

1-Possess Over Limit Of Doves

1-Littering

CONFISCATIONS:

1 bag deer meat, 1 redfish, 5 doves, 4 alligator hides, 3 alligator tags, 1

REGION 8

TOTAL CASES-713

ENFORCEMENT-584

OTHER -129

126-Boating

122-Angling W/O A License

15-Fish Without Resident Pole License

4-Use Gear W/O Recreational Gear License

76-Angling W/O Saltwater License

3-Take Game Fish Illegally

2-Taking And/Or Possessing Over Limit Of Game Fish

8-Possess O/L Of Spotted Sea Trout Or Red Drum

4-Fail To Have Fish Intact

64-Take Or Possess Undersize Red Drum Or Spotted Sea Trout

1-Not Abiding By Commission Rules And Regulations

9-Fail To Have Commercial License In Possession

20-Take Or Sell Commercial Fish Or Bait Species Without Commercial License

20-Take Commercial Fish W/O Commercial Gear License

25-Take Or Possess Commercial Fish Without A Vessel License

1-Transport W/O Required License

1-Possess O/L Of Red Drum In Excess of 30"

REGION 8 CONT'D.

7-Use Illegal Nets

4-Illegal Use Of Monofilament

2-Leave Nets Unattended

29-Take Or Possess Undersize Commercial Fish

1-Blocking Passage Of Fish

1-Use Crab Traps W/O Required Floats

10-Allow Another To Use Commercial License

3-Tending Crab Traps Illegal Hours

12-Trawling In Closed Season

1-Trawling Inside Waters W/Double Rig

2-Use Oversize Trawls

15-Take Or Possess Undersize White Shrimp

1-Use Illegal Mesh Trawl, Butterfly Nets Or Seines

3-Use Oversize Butterfly Nets

19-Taking Oysters From Unapproved Area

8-Take Undersize Oysters From Natural Reef

1-Using Illegal Gear For Taking Oysters On Public Grounds

2-Failure To Display Proper Number On Vessel

1-Failure To Fill Out Oyster Tags Correctly

6-Closed Or Restricted Areas/Lake Catherine And Lake Ponchartrain

6-Hunting W/O Resident License

1-Hunting From Moving Vehicle And/Or Aircraft

1-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

2-Possess Rabbits Closed Season

4-Hunt Squirrel Closed Season

REGION 8 CONT'D.

- 1-Selling Alligator Meat Illegally
- 11-Unlawfully Take Oysters Off A Private Lease
 - 1-Failure To Have Written Permission
 - 1-Possession Of Red Drum And Spotted Sea Drum Illegally
 - 2-Fail To Tag Alligator Upon Taking
 - 5-Take Alligators From Other Than Approved Area
 - 4-Not Abiding By Rules And Regulations/Alligators
 - 2-Taking Or Possessing Alligators Closed Season
 - 2-Illegal Possession Of Alligators, Eggs Or Their Skins
 - 2-Possessing F.B.A. Without License
 - 2-Take Non-Game Quadrupeds Closed Season
 - 1-Trespass On Marshland To Take F.B.A.
 - 5-Hunting MGB With Unplugged Gun
 - 3-Hunting MGB Over Baited Area
 - 2-Hunting MGB From A Vehicle
 - 1-Possess Over Limit Of Doves
 - 1-Taking Or Possessing Of Other Non-Game Birds-No Season
- 12-Resisting Arrest
 - 2-Public Intimidation
 - 4-Criminal Damage Of State Property
 - 5-Littering
 - 1-Fail To Tag Nets

CONFISCATIONS:

134 red drum, 104 speckled trout, 30 striped bass, 41 catfish, 100

Page (10)

REGION 8 CONT'D.

lbs. black drum, 213 sacks of oysters, 67 boxes of crabs plus 170 lbs. of crabs, 100 lbs. sheephead, 64 alligators, 7 alligator hides, 100 lbs. alligator meat, 1 alligator head, 338 lbs. shrimp, 1 cobia, 2 rabbits, 50 doves, 9 squirrels, 1 sea gull, 6 butterfly nets, 315 feet of trawl, 15 boats, 3 oyster dredges, 4,285 feet of gill net, 5 shotguns, 1 rifle, 2 outboard motors, 1 nutria, 49 alligator tags, 1 commercial gear license, 2 commercial vessel license, 8 commercial fishing license, 2 non-resident commercial license, 1 non-resident gear license, 1 non-resident vessel license, 3 alligator licenses, 1 resident vessel license, 124 sacks oysters.

Page (11)

S.W.E.P.

RIP TIDE AND DELTA TIDE

32 Hours Running Time

18 Boats Checked

TOTAL CITATIONS-5

2-Oversize Trawls

1-No Commercial License

1-No Dealer License

1-No Vessel License

CONFISCATIONS:

2 trawls.

Page (12)

TOTAL CASES ENFORCEMENT-1510

TOTAL CASES S.W.E.P. - 5

TOTAL CASES OTHER - 190

GRAND TOTAL -1705



RANDY ROACH
DISTRICT 38

STATE OF LOUISIANA
HOUSE OF REPRESENTATIVES

P. O. BOX 4883
LAKE CHARLES, LOUISIANA 70608
1-800-757-2474
LINO 478-8092
LAKE CHARLES OFFICE (318) 478-8545
CAMERON OFFICE (318) 842-4443

CIVIL LAW AND PROCEDURE
NATURAL RESOURCES
MUNICIPAL, PAROCHIAL AND CULTURAL AFFAIRS

TRANSMITTED BY FAX

October 4, 1989

Mr. Norman McCall
Cameron, LA 70631

Re: Act No. 516 - Oyster Harvester License

Dear Norman:

Act No. 516 of the 1989 Regular Session levied a \$100.00 per person fee on all persons harvesting or possessing oysters in state waters. The Act requires that all persons aboard any vessel engaged in oyster harvesting possess this license. The fee is \$100.00 for residents and \$400.00 for nonresidents.

This Act was adopted at the request of the Oyster Task force. In discussing this matter with the author of the bill, Mr. John Siracusa, he indicated that the Task Force rejected an increase in the oyster tag fee which had originally been proposed by the Department. Apparently the majority of members on the Task Force felt that because many oyster fishermen use dredges and can harvest up to 30 sacks or more per day it would be more equitable to generate the necessary revenue under a flat fee system.

However, it is apparent that because of the 10 sack limit in the Calcasieu Lake and the fact that oysters in the lake have to be harvested by tonging rather than by dredging, the impact of this fee is very inequitable insofar as the fishing industry in Calcasieu Lake is concerned. I have discussed this matter with Mr. Siracusa and with Mr. Ron Dugas, chairman of the Oyster Task Force, and they agree.

Mr. Norman McCall
October 4, 1989.
Page Two

In reviewing the Act I noticed that it does not provide for a license year. In fact there is no indication in the Act whether the license is to be collected on a yearly basis or not. Section 1 of the Act makes it clear that the commission has the authority to adopt rules and regulations affecting the taking of oysters in the waters of the state. LCA-R.S. 56:301.5 (Acts 1986, No. 904, Sect. 1) specifically provides that the Commission may promulgate rules and regulations concerning any aspect of licensing not specifically provided for in this part.

It is obvious that it is necessary for the Commission to establish a "license year" for the oyster harvester license and that it has the legal authority to do so.

I would like to request that you schedule on the agenda at the November meeting of the Commission an item which would establish the oyster harvester license year by regulation and further that this regulation incorporate an effective date of June 1, 1990 for persons oyster fishing in Calcasieu Lake. This will give me an opportunity to address this situation by legislation in the next Regular Session. It will also give the Calcasieu Lake Advisory Panel an opportunity to consider an alternative source of generating revenue for enforcement and health purposes on a more equitable basis. No one believes that Calcasieu Lake fishermen should be exempt from helping finance the State's Oyster Management Program. We simply believe that there is a better way to do it which will be fair to those fishermen using the lake under the present harvesting restrictions.

I have discussed this proposal with Mr. John Siracusa and he believes that this would be a reasonable approach to the problem and is willing to support our efforts in this regard.

With best regards,

Sincerely yours,


RANDALL E. ROACH

RER/jmd

cc: Mrs. Virginia VanSickle
Mr. Wade Adams
Representative John Siracusa
Representative Frank Patti
Oyster Advisory Panel

CLASS B USE PERMIT NO. 240
UNION EXPLORATION PARTNERS, LTD.

DATE	ACTION
10/03/88	Copy of plans for the Tenneco Fee "B" Well #17 is received from David Cloud of Morris Hebert, Inc. permit agent and surveyor for Union Exploration Partners, LTD.
10/11/88	LDWF makes a onsite visit to project location while conducting field review on another project.
10/26/88	A geological review meeting is held by Coastal Management Division of Department of Natural Resources. Alternative well site was developed.
01/25/89	LDWF receives Class B Use Permit application for alternative well site.
01/31/89	LDWF sends copy of application to review agencies.
02/23/89	LDWF receives comments from Baton Rouge Audubon Society.
04/05/89	LDWF sends out the public notice on application.
04/21/89	LDWF receives comments from Mr. Gerald Lyons.
05/05/89	LDWF receives comments from the Terrebonne Black Bass Club and the Office of Cultural Development of the Department of Culture, Recreation and Tourism.
05/08/89	LDWF issues permit to applicant.
05/18/89	LDWF sends letter rescinding permit to applicant and receives request for additional information from the Baton Rouge Audubon Society.
05/31/89	LDWF is advised by Department of Environmental Quality of request of denial of permit
06/01/89	LDWF sends letter to applicant explaining the rescinding letter.
06/22/89	LDWF receives request for information from Baton Rouge Audubon Society.
06/28/89	LDWF receives acknowledgement letter from Baton Rouge Audubon Society and a letter from the Coalition to Restore Coastal Louisiana.
06/30/89	LDWF sends acknowledgement letter to Coalition to Restore Coastal Louisiana.
07/11/89	A geological review is held by CMD concerning a revision to the alternative well site.

08/21/89 LDWF receives plans for revised alternative well site.

Some time after the close of the comment period LDWF receives a copy of the Department of Culture, Recreation and Tourism's letter of February 23, 1989. The original letter has not been found.

The existence of the letter was brought to our attention by Mr. John Glenn of CRT after the permit was issued. He expressed concern that their comments were not considered in the final decision (they were not) and informed us that a letter from Mr. Truxillo questioning our action was being prepared. He also agreed to our request to supply us with copies of their original correspondence.

Letters and telephone calls were received from representatives of the Sierra Club and the Audubon Society, specifically Ester Boykin Beckham and Doris Faulkenheiner voicing objections to the fact that we had issued the permit. They also requested the final, written decision document required by R.S. 56:1849 B(2). That document had not been prepared.

Following the above events the decision was made to suspend the permit which has led to this hearing.

CLASS B USE PERMIT NO. 240
UNION EXPLORATION PARTNERS, LTD.

DATE	ACTION
10/03/88	Copy of plans for the Tenneco Fee "B" Well #17 is received from David Cloud of Morris Hebert, Inc. permit agent and surveyor for Union Exploration Partners, LTD.
10/11/88	LDWF makes a onsite visit to project location while conducting field review on another project.
10/26/88	A geological review meeting is held by Coastal Management Division of Department of Natural Resources. Alternative well site was developed.
01/25/89	LDWF receives Class B Use Permit application for alternative well site.
01/31/89	LDWF sends copy of application to review agencies.
02/23/89	LDWF receives comments from Baton Rouge Audubon Society.
04/05/89	LDWF sends out the public notice on application.
04/21/89	LDWF receives comments from Mr. Gerald Lyons.
05/05/89	LDWF receives comments from the Terrebonne Black Bass Club and the Office of Cultural Development of the Department of Culture, Recreation and Tourism.
05/08/89	LDWF issues permit to applicant.
05/18/89	LDWF sends letter rescinding permit to applicant and receives request for additional information from the Baton Rouge Audubon Society.
05/31/89	LDWF is advised by Department of Environmental Quality of request of denial of permit
06/01/89	LDWF sends letter to applicant explaining the rescinding letter.
06/22/89	LDWF receives request for information from Baton Rouge Audubon Society.
06/28/89	LDWF receives acknowledgement letter from Baton Rouge Audubon Society and a letter from the Coalition to Restore Coastal Louisiana.
06/30/89	LDWF sends acknowledgement letter to Coalition to Restore Coastal Louisiana.
07/11/89	A geological review is held by CMD concerning a revision to the alternative well site.

08/21/89 LDWF receives plans for revised alternative well site.

Some time after the close of the comment period LDWF receives a copy of the Department of Culture, Recreation and Tourism's letter of February 23, 1989. The original letter has not been found.

The existence of the letter was brought to our attention by Mr. John Glenn of CRT after the permit was issued. He expressed concern that their comments were not considered in the final decision (they were not) and informed us that a letter from Mr. Truxillo questioning our action was being prepared. He also agreed to our request to supply us with copies of their original correspondence.

Letters and telephone calls were received from representatives of the Sierra Club and the Audubon Society, specifically Ester Boykin Beckham and Doris Faulkenheiner voicing objections to the fact that we had issued the permit. They also requested the final, written decision document required by R.S. 56:1849 B(2). That document had not been prepared.

Following the above events the decision was made to suspend the permit which has led to this hearing.



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

September 29, 1989

Dr. Donald Hines, Commissioner
P. O. Box 130
Bunkie, LA 71322

Dr. Hines:

This is in response to your request that the Legal Division provide an opinion regarding the Commission's authority to regulate the size limits of channel catfish (locally called white, eel or willow cat) under the provisions of LA R.S. 56:326 A.(7)(b). That provision provides as follows:

"The channel cat, locally called the white, the eel cat, or the willow cat--11 inches minimum length with the mouth closed or 9 inches with the collarbone off; however, the commission is authorized to suspend or reduce by resolution, the legal size limit on channel catfish in those areas of the state where biological data indicates that such a suspension or reduction in the size limit would not be detrimental to the resource."

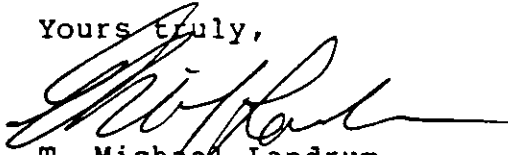
The statute establishes eleven (11") inches minimum length with the mouth closed or nine (9") inches with the collarbone off as the legal size of this fish. The statute further provides that the Commission is authorized to suspend or reduce the legal size limit on these fish but only where biological data indicates that such a suspension or resolution in the size limit would not be detrimental to the resource.

It is our opinion that absent such biological data, the Commission is without authority to vary or alter the legal size limit established in the statute by the legislature. Only where the biological data indicates that a suspension or reduction in

Dr. Donald Hines
September 29, 1989
Page 2

the size limit would not be detrimental to the resource would the Commission have the prerogative to act in this area.

Yours truly,

A handwritten signature in black ink, appearing to read "T. Michael Landrum", written over a horizontal line.

T. Michael Landrum
Attorney

cc: Commission Members
Virginia Van Sickle
Jerry Clark
Bennie Fontenot

WILDLIFE AND FISHERIES

able by a fine of eight hundred fifty
in excess of twenty-seven inches
by the violator for the period for
prohibited from obtaining any new
more than three years thereafter.

fish, and sharks possessed by a
in intact when set or put on shore
sharks possessed by a commercial
ut on shore from a vessel or when
man shall retain a strip of skin
shore from a vessel or when sold.
length as defined in R.S. 56:8(114).

No. 25, § 1.

he contrary, a wholesale or retail
to the penalties provided by law for
le or retail dealer can provide to
ry the identity of the commercial
subsequently sold such crabs to the
bject to the penalties.

wise identify any crabs that are sold,
fisherman can be identified as the
a required herein shall include the
ite on which the crabs were harvest-

old undersized crabs to a wholesale
ject to the penalties provided in this
crabs.

ion constitutes a class 4 violation.

8, No. 830, § 1.

h in possession

fisherman must keep his catch intact until it
lly placed on shore from a vessel; accord-
Acts 1987, No. 883, which requires that
ch possessed by a ... fisherman shall have
head and caudal fin intact when set or put on
from a vessel," prevents a fisherman from
ing fish at a camp or other shore facility
subsequently placing the fish back in a
for transport to a more inland location.
ty Gen., No. 87-683, Nov. 9, 1987.

measurement

fish, including catfish, caught by com-
al fisherman must remain intact for mea-
ment pursuant to R.S. 56:226, and all saltwa-
fish caught by sports or recreational fish-
n must also remain intact for measurement
uant to R.S. 56:225.2. Op. Atty. Gen., No.
72, Nov. 2, 1987.

department; equipment; inspection
the Federal Fishery Conservation Zone
uipped with a functioning transponder
ch by agents of appropriate federal or
of Wildlife and Fisheries of any catch of
otherwise unloads its catch. The notice
will dock or unload, expected time of
ber of pounds of red drum on board.

WILDLIFE AND FISHERIES

R.S. 56:327

§326.3. Possession limits, size limits, seasons, quotas, times, and daily take

limits, set by commission; exceptions

Subject to the provisions of the Administrative Procedure Act and
specifically R.S. 49:968, the commission may set possession limits, quotas,
seasons, times, size limits, and daily take limits based upon biological and
technical data, for all freshwater and saltwater finfish taken or possessed in
Louisiana waters for which no such limits have been set by statute, except
for red drum (*Sciaenops ocellata*) or spotted seatrout (*Cynoscion nebulosus*),
and for these two species, no such limitations may be set by the commission
for as long as the legislature sets any such limitations on these species.

Act 486 of 1989

... of ... as amended by § 1 of Acts 1988, No. 889,
eff. until Sept. 1, 1991.

(b) any saltwater game fish, including but not limited to any sailfish (*Istiopharus platypterus*), blue marlin (*Makaira nigricans*), black marlin (*Makaira indica*), striped marlin (*Tetrapturus audax*), hatchet marlin (*Tetrapturus spp.*), white marlin (*Tetrapturus albidus*), or red drum (*Sciaenops ocellata*) whether taken from within or without the state, unless such imported game fish, if from outside of the state, are tagged with a metal self-locking tag placed in one operculum of each fish said tags to have been issued by the official conservation agency of the state from which the fish were taken, and showing the originating water body and the identity of the issuing agency, or unless such game fish have been certified by the department as having been raised and taken in accordance with a certified aquaculture program or a valid experimental mariculture permit issued pursuant to R.S. 56:579.1; and except gamefish fingerlings, not exceeding a maximum total length of three inches, of red drum, largemouth bass, spotted bass, rock bass, striped bass, hybrid striped bass, white bass, yellow bass, crappie, and bream, brought into the state by and from legal and certified out-of-state commercial fish hatcheries, for sale to Louisiana residents for stocking private waters. Persons transporting said gamefish fingerlings for sale in Louisiana must notify the secretary of the Louisiana Department of Wildlife and Fisheries forty-eight hours prior to shipment and must possess a bill of lading which shall accompany each shipment showing the species of fish contained in the shipment, number, the origin of the payload, destination of the shipment, the name of the consignee and consignor, and the grower's name and fish farmer's license number. Creel limits shall not apply to said shipments of gamefish fingerlings. The department shall have the authority to cancel sales or to confiscate and destroy shipments of gamefish fingerlings that are determined by department personnel to have fish diseases or parasites that would endanger native fish populations.

Amended by Acts 1987, No. 285, § 1; Acts 1988, No. 889, § 1, eff. July 21, 1988.

For text of subpar. (A)(1)(b) as amended by § 4 of Acts 1988, No. 889,
eff. Sept. 1, 1991, see post

Text of subpar. (A)(1)(b) as amended by § 4 of Acts 1988, No. 889, eff. Sept. 1, 1991.

(b) Any saltwater game fish, including but not limited to any sailfish (*Istiopharus platypterus*), blue marlin (*Makaira nigricans*), black marlin (*Makaira indica*), striped marlin (*Tetrapturus audax*), hatchet marlin (*Tetrapturus spp.*), or white marlin (*Tetrapturus*

R.S. 49:967

STATE ADMINISTRATION
Ch. 13

B. The provisions of R.S. 49:968(F)(4)¹ and 970 shall not be applicable to any rule promulgated by the State Civil Service Commission or the Public Service Commission.

C. The provisions of R.S. 49:963, 964, and 965 shall not be applicable to any rule, regulation, or order of any agency subject to a right of review under the provisions of R.S. 30:12.

D. The provisions of R.S. 49:968 shall not apply to any rule or regulation promulgated by the Department of Wildlife and Fisheries or the Wildlife and Fisheries Commission relative to hunting seasons, trapping seasons, alligator seasons, shrimp seasons, oyster seasons, finfish seasons and size limits and all rules and regulations pursuant thereto. The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission may employ the provisions of R.S. 49:953(B) in promulgating rules and regulations relative to hunting seasons, trapping seasons, alligator seasons, shrimp seasons, oyster seasons, and finfish seasons and size limits and all rules and regulations pursuant thereto.

Added by Acts 1974, No. 284, § 2, eff. Jan. 1, 1975. Amended by Acts 1976, No. 279, § 1; Acts 1978, No. 252, § 1; Acts 1981, No. 453, § 1; Acts 1982, No. 708, § 2; Acts 1983, No. 409, § 2; Acts 1984, No. 244, § 1; Acts 1985, No. 869, § 1, eff. July 23, 1985; Acts 1986, No. 494, § 1.

¹ In subsec. B, "R.S. 49:968(F)(4)" is as it appears in the enrolled act.

History and Source of Law

This section, enacted by Acts 1974, No. 284, § 2, was designated as R.S. 49:967 on authority of R.S. 24:253. As so enacted, this section provided:

"Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950 shall not be applicable to the Department of Revenue, the Department of Employment Security, the Department of Highways and the Board of Tax Appeals, except that the provisions of R.S. 49:951(2), (4), (5), (6) and (7), 952, 953, 954 and 954.1 shall be applicable to such departments and said Board."

As amended by Acts 1976, No. 279, § 1, this section provided:

"Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950 shall not be applicable to the Board of Tax Appeals, the Department of Revenue, and the Department of Employment Security, except that the provisions of R.S. 49:951(2), (4), (5), (6), and (7), 952, 953, 954, 954.1, and 968 shall be applicable to said board."

The 1978 amendment inserted "and Taxations"; substituted "Office" for "Department"; inserted "department, office, and"; and added the provision concerning the applicability of R.S. 49:968(F)(4).

As so amended in 1978, this section provided:

"Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950 shall not be applicable to the Board of Tax Appeals, the Department of Revenue and Taxations and the Office of Employment Security, except that the provisions of R.S. 49:951(2), (4), (5), (6), and (7), 952, 953, 954, 954.1, and 968 shall be applicable to said department, office, and board. The provisions of R.S. 49:968(F)(4) shall not be applicable to any rule promulgated by the State Civil Service Commission or the Public Service Commission."

The 1981 amendment substituted "Taxation" for "Taxations", and "such board, department, and office" for "said department, office, and board"; inserted a comma following "Taxation"; and inserted "969, and 970".

The 1982 amendment inserted ", with the exception of the Louisiana Tax Commission which shall continue to be governed by this Chapter in its entirety, unless otherwise specifically provided by law", and substituted "; however," for ", except that" preceding "the provisions". The 1982 amendment also capitalized "C" in "Chapter" in the section heading.

The 1983 amendment added the last two sentences (now designated subsecs. B and C).

ADM
Ch. 13

On au
tuted
The
tence
In
tion c
R.S.
The
whic

Lo
Robe
Rev.

Ad
C.

St

Civ
Pub
Un

S
49:

1.
I
tio
tra
ing
He
19:

2.
gr
to
tic
of
in
C

S

v
e
s

s

ENFORCEMENT CASE REPORT

OCTOBER 1989

OCTOBER 1989 CASE REPORT

REGION I

TOTAL CASES-55

ENFORCEMENT-55

OTHER - 0

- 4-Boating
- 10-Angling W/O A License
- 3-Fish Without Resident Pole License
- 1-Take Undersize Black Bass
- 1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
- 1-Transport W/O Required License
- 8-Hunting W/O Resident License
- 3-Hunting W/O Non-Resident License
- 2-Bow Hunt W/O Bow License
- 1-Hunting From Moving Vehicle And/Or Aircraft
- 9-Hunting W/Unplugged Gun Or Silencer
- 2-Hunt W/O Non-Resident Big Game License
- 1-Hunt Or Take Deer Or Bear Illegal Hours
- 1-Hunt Raccoons Or Opossums Illegally
- 1-Not Abiding By Rules & Regulations On WMA
- 1-DWI
- 1-Littering
- 3-Other Than Wildlife and Fisheries
- 2-Operate ATV Vehicle On Public Road

CONFISCATIONS:

1 gun, 1 spotlight.

Page (2)

REGION 2

TOTAL CASES-79

ENFORCEMENT-79

OTHER - 0

- 8-Angling W/O A License
- 11-Fish Without Resident Pole License
 - 1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
 - 3-Sell And/Or Purchase Game Fish
 - 6-Hunting W/O Resident License
 - 1-Bow Hunt W/O Bow License
 - 10-Buying And/Or Selling Wild Quadrupeds Or Wild Birds
 - 2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
 - 4-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way
 - 2-Hunt Rabbits Closed Season
 - 3-Hunt Squirrel Closed Season
 - 1-Possession Of Pods While Bow Hunting
 - 2-Hunt Or Take Deer Or Bear Illegal Hours
 - 1-Hunt Or Take Deer From Public Road
 - 4-Buying Or Selling Deer Or Meat
 - 2-Fail To Comply With Alligator Parts Tagging Required
 - 1-Taking Or Possession Of Other Non-Game Birds-No Season
 - 3-Not Abiding By Rules & Regulations On WMA
 - 2-Resisting Arrest
 - 2-Possession Of Illegal Type Firearm
 - 2-Illegal Possession Of Drugs Or Marijuana
 - 8-Other Than Wildlife and Fisheries

Page (3)

REGION 2 CONT'D.

CONFISCATIONS:

1 Common Tern mounted bird, 1 Remington Rifle, 3 raccoon hides, 1 illegal buck deer, 1 arrow/poison pod, 1 brief case/with illegal drugs, cash, jewelry and food stamps, 3 tagging violations not abiding by DMAP.

REGION 3

TOTAL CASES-79

ENFORCEMENT-68

OTHER -11

22-Boating

18-Angling W/O A License

2-Fish W/O Resident Pole License

1-Take Undersize Black Bass

7-Hunting W/O Resident License

5-Hunting W/Unplugged Gun Or Silencer

2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

1-Use Live Ammo While Training Dogs C/S

4-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way

4-Hunt Squirrel Closed Season

1-Take Squirrel Illegal Methods

3-Take And/Or Possess Over Limit Of Squirrels

1-Possess Squirrels Closed Season

2-Hunt W/O Resident Big Game License

1-Take Deer Illegal Means During Bow Season

1-Possession Of Illegally Taken Deer Or Bear

1-Taking Or Possessing Alligators Closed Season

1-Trapping Non-Game Migratory Birds

Region (4)

REGION 3 CONT'D.

1-Criminal Trespass On State Property

1-Other Than Wildlife And Fisheries

CONFISCATIONS:

5 black bass, 28 squirrels, 1 live squirrel, 1 trap, 1 deer, 1 alligator.

REGION 4

TOTAL CASES-71

ENFORCEMENT-64

OTHER - 7

3-Boating

3-Angling W/O A License

5-Fish Without Resident Pole License

1-Use Gear W/O Recreational Gear License

1-Take Or Possess Undersize Commercial Fish

8-Hunting W/O Resident License

1-Bow Hunt W/O Bow License

2-Hunting From Moving Vehicle And/Or Aircraft

7-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

1-Hunt Or Discharge Firearm From Levee Road

1-Hunt Squirrel Closed Season

1-Hunt W/O Non-Resident Big Game License

2-Possession Of Pods While Bow Hunting

6-Hunt Or Take Deer Or Bear Closed Season

1-Hunt Or Take Deer Or Bear Illegal Hours

8-Take Deer Illegal Means During Bow Season

4-Possession Of Illegally Taken Deer Or Bear

1-Field Possession Of Deer Meat Without Tag

Page (5)

13-Not Abiding By Rules & Regulations On WMA

1-Hunting MGB Game Birds With Unplugged Gun

1-Other Than Wildlife And Fisheries

CONFISCATIONS:

4 catfish, 5 deer, 8 guns, 1 rabbit, 12 squirrels, 1 raccoon, 1 spotlight, 2 arrows with pods.

REGION 5

TOTAL CASES-180

ENFORCEMENT-163

OTHER - 17

52-Boating

19-Angling W/O A License

3-Use Gear W/O Recreational Gear License

1-Fish In Closed Area

1-Take Game Fish Illegally

1-Use Illegal Bait Seines

2-Possess O/L Of Spotted Sea Trout Or Red Drum

9-Take Or Possess Undersize Red Drum Or Spotted Sea Trout

3-Take Or Sell Commercial Fish Or Bait Species Without Commercial License

1-Take Or Possess Commercial Fish Without A Vessel License

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

1-Possess Exotic Fish

2-Buy Commercial Fish From Un-License Fisherman

2-Fail To Comply W/Department Rules And Regulations

1-Use Oversize Trawls

1-Take Or Possess Undersize White Shrimp

12-Take Undersize Oysters From Natural Reef

Page (6)

REGION 5 CONT'D.

20-Hunting W/O Resident License

2-Hunting W/O Non-Resident License

3-Hunting From Moving Vehicle And/Or Aircraft

8-Hunting W/Unplugged Gun Or Silencer

1-Possession Of Live Wild Quadrupeds, Wild Birds W/O Permit

3-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

3-Possession Of Wild Quadrupeds Or Wild Birds Without Permit

2-Hunt Squirrel Closed Season

1-Hunt Or Take Deer Or Bear Closed Season

1-Hunt Quail Closed Season

1-Not Abiding By Rules And Regulations

1-Field Possession Of Freshly Killed MGB Closed Season

4-Possess Over Limit Of Doves

1-Taking Or Possession Of Other Non-Game Birds-No Season

15-Not Abiding By Rules And Regulations On WMA

2-Littering

CONFISCATIONS:

609 sacks of oysters, 73 speckled trout, 16 red drum, 69 doves, 1 deer, 4 squirrels, 1 rabbit, 1 wood duck, 1 quail.

REGION 6

TOTAL CASES-214

ENFORCEMENT-195

OTHER -19

67-Boating

33-Angling W/O A License

11-Fish Without Resident Pole License

REGION 6 CONT'D.

- 1-Use Gear W/O Recreational Gear License
- 1-Angling W/O Saltwater License
- 1-Take Game Fish Illegally
- 1-Possess O/L Of Spotted Sea Trout Or Red Drum
- 1-Fail To Have Fish Intact (Saltwater)
- 3-Not Abiding By Commission Rules and Regulations
- 3-Take Or Sell Commercial Fish Or Bait Species Without Commercial License
- 2-Take Commercial Fish W/O Commercial Gear License
- 4-Take Or Possess Commercial Fish Without A Vessel License
- 1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
- 1-Transport W/O Required License
- 1-Possession Of Red Drum And Spotted Sea Trout Illegally
- 1-Leave Nets Unattended
- 2-Take Or Possess Undersize Commercial Fish
- 2-Sell And/Or Purchase Game Fish
- 1-Fail To Comply W/Permit Req
- 1-Failure To Have Written Permission
- 1-Unlawfully Take Oysters Off A Private Lease
- 19-Take Undersize Oysters From Natural Reef
- 1-Failure To Display Proper Number On Vessel
- 18-Hunting W/O Resident License
- 1-Bow Hunt W/O Bow License
- 2-Failure To Fill Out Oyster Tags Correctly
- 4-Hunting From Moving Vehicle And/Or Aircraft
- 2-Hunting W/Unplugged Gun Or Silencer

Page (8)

REGION 6 CONT'D.

- 5-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 4-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way
- 1-Hunt Rabbits Closed Season
- 2-Take And/Or Possess Over Limit Of Squirrels
- 3-Hunt W/O Resident Big Game License
- 4-Hunt Raccoons Or Opossums Illegally
- 2-Take Over Limit Of Raccoons Or Opossums
- 5-Hunting MGB From A Vehicle
- 2-Possess Over Limit Of Doves

CONFISCATIONS:

2 ducks, 29 squirrels, 1 rabbit, 19 crappie, 3 brem, 8 red fish, 116 doves, 8 shotguns, 1 fish seine permit.

REGION 7

TOTAL CASES-180

ENFORCEMENT-176

OTHER - 4

- 17-Boating
- 52-Angling W/O A License
- 20-Fish W/O Resident Pole License
- 1-Possess O/L Of Spotted Sea Trout Or Red Drum
- 1-Take Or Possess Undersize Red Drum Or Spotted Sea Trout
- 1-Fail To Have Commercial License In Possession
- 2-Take Or Sell Commercial Fish Or Bait Species Without Commercial License
- 3-Take Commercial Fish W/O Commercial Gear License
- 2-Take Or Possess Commercial Fish Without A Vessel License
- 21-Hunting W/O Resident License

REGION 7 CONT'D.

- 1-Bow Hunt W/O Bow License
- 6-Hunting From Moving Vehicle And/Or Aircraft
- 9-Hunting W/Unplugged Gun Or Silencer
- 4-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 2-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way
- 3-Hunt Squirrel Closed Season
- 6-Hunt W/O Resident Big Game License
- 2-Hunt Or Take Deer Or Bear Closed Season
- 4-Hunt Or Take Deer Or Bear Illegal Hours
- 4-Take Deer Illegal Means During Bow Season
- 3-Hunt Or Take Deer From Public Road
- 3-Hunt Raccoons Or Opossums Illegally
- 1-Fail To Tag Alligator Upon Taking
- 3-Not Abiding By Rules And Regulations On WMA
- 2-Illegal Spotlighting From Public Road
- 1-Littering
- 3-Other Than Wildlife And Fisheries
- 1-Possession Of Firearm By Convicted Felon
- 2-Possess Wild Birds Or Wild Quadrupeds W/O A License

CONFISCATIONS:

13 guns, 3 Q-beam lights, 2 bows and arrows, 1 squirrel, 2 doe deer, 1 spike buck deer, 2 alligator hides, 2 alligator tags, 1 alligator hunting license, 13 red fish.

Page (10)

REGION 8

TOTAL CASES-664

ENFORCEMENT-597

OTHER 67

77-Boating

81-Angling W/O A License

6-Fish Without Resident Pole License

3-Use Gear W/O Recreational Gear License

62-Angling W/O Saltwater License

3-Take Game Fish Illegally

2-Taking And/Or Possessing Over Limit Of Game Fish

14-Possess O/L Of Spotted Sea Trout Or Red Drum

2-Fail To Have Fish Intact

75-Take Or Possess Undersize Red Drum Or Spotted Sea Trout

3-Not Abiding By Commission Rules And Regulations

6-Fail To Have Commercial License In Possession

23-Take Or Sell Commercial Fish Or Bait Species Without Commercial License

19-Take Commercial Fish W/O Commercial Gear License

22-Take Or Possess Commercial Fish Without A Vessel License

3-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

1-Fail To Maintain Records

3-Transport W/O Required License

2-Use Illegal Nets

1-Possession Of Red Drum And Spotted Sea Trout Illegally

1-Leave Nets Unattended

4-Possess O/L Of Red Drum 30"

REGION 8 CONT'D.

- 7-Take Or Possess Undersize Commercial Fish
- 3-Sell And/Or Purchase Game Fish
- 4-Blocking Passage Of Fish
- 9-Destroy Legal Crabs Or Removing Contents
- 5-Allow Another To Use Commercial License
- 2-Fail To Comply W/Department Rules And Regulations
- 1-Fail To Comply With Closure Order
- 2-Fail To Have Commercial Fish Intact
- 4-Trawling Inside Waters W/Double Rig
- 4-Use Oversize Trawls
- 1-Trawl In Restricted Areas
- 7-Take Or Possess Undersize White Shrimp
- 3-Use Illegal Beam Trawl/Chopsticks
- 10-Failure To Have Written Permission
- 17-Unlawfully Take Oysters From State Water Bottoms
- 12-Taking Oysters From Unapproved Area
- 1-Unlawfully Take Oysters Off A Private Lease
- 2-Take Oysters Closed Season
- 7-Failure To Display Proper Number On Vessel
- 1-Take Over Limit Of Raccoons Or Opossums
- 2-Not Abiding By Rules And Regulations (Alligators)
- 16-Not Abiding By Rules And Regulations On WMA
- 3-Hunt MGB With Unplugged Gun
- 6-Hunt MGB Illegal Hours
- 14-Hunting MGB Over Baited Area

REGION 8 CONT'D.

11-Possess Untagged MGB

12-Possession Of Completely Dressed MGB

2-Field Possession Of Freshly Killed MGB Closed Season

4-Using Lead Shot In Area Designated As Steel Shot Only

3-Transport MGB Illegally

3-Hunting Doves Closed Season

5-Possess Over Limit Of Doves

4-Hunting Ducks Closed Season

2-Possess Over Limit Of Ducks

14-Hunting W/O Resident License

4-Possess Wild Birds Or Wild Quadrupeds

1-Bow Hunt W/O Bow License

6-Hunting W/Unplugged Gun Or Silencer

1-Possession Of Live Wild Quadrupeds, Wild Birds W/O Permit

6-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

2-Hunt Or Discharge Firearm From Road Or Highway Right-Of-Way

2-Take And/Or Possess Over Limit Of Rabbits

3-Take And/Or Possess Over Limit Of Squirrels

1-Hunt W/O Resident Big Game License

3-Possession Of Illegally Taken Deer Or Bear

3-Resisting Arrest

4-Criminal Trespass

8-Illegal Possession Of Drugs Or Marijuana

1-Theft Of State Property

2-Littering

REGION 8 CONT'D.

1-Fail To Tag Gill Nets

CONFISCATIONS:

20 rabbits, 2 raccoons, 1 alligator, 2 alligator tags, 1 alligator license, 2 non-resident commercial fishing license, 1 non-resident gear license, 6 commercial fishing license, 3 resident vessel license, 5 resident gear license, 1 pirogue, 10 lbs. marijuana, 31 large mouth bass, 393 red fish, 3 flounder, 415 speckled trout, 20 black drum, 84 catfish, 1 yellow tail fish, 1 king mackerel, 5 boxes crabs, 83 sacks of oysters, 5145 lbs. shrimp, 846 feet shrimp trawls, 1200 feet gill net, 5 oyster dredges, 2 butterfly nets, 5 boats, 4 motors, 1 pickup truck, 1 auto, 2 crab traps, 5 guns, 1 rifle, 3 ice chest, 366 doves, 31 squirrels, 14 teal ducks, 2 mallard ducks, and 2 deer.

Page (14)

S.W.E.P.

RIP TIDE AND DELTA TIDE

TOTAL ENGINE HOURS-162

TOTAL BOATS CHECKED-146

TOTAL CITATIONS ISSUED-40

10-No Commercial Fishing License

4-No Commercial Gear License

4-No Vessel License

4-No Boat Registration In Possession

1-Undersize Red Drum

1-No Boat Numbers

6-Allow Another To Use Commercial License

1-Trawling Inside Waters With Double Rig Over 50 feet

2-Using 4 Rigs in Double Rig Zone

7-Oversize Trawls

CONFISCATIONS:

4000 feet of gill net, 2-54 foot trawls, 17 trawls.

TOTAL CASES ENFORCEMENT-1397

TOTAL CASES S.W.E.P. - 40

OTHER - 136

GRAND TOTAL -1573

DRAFT

MINUTES OF MEETING OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
AND
TEXAS PARKS AND WILDLIFE *Commission*

OCTOBER 6, 1989

Chairman Don Hines called to order the joint meeting of the Texas Parks and Wildlife Commission and the Louisiana Wildlife and Fisheries Commission.

Members of the Texas Commission attending were:

Chuck Nash, Chairman

Peter Beck

Delo Casprey

Members of the Louisiana Commission attending were:

Don Hines, Chairman,

James Jenkins, Jr.

Norman McCall

Joe Palmisano

Warren Pol

Dale Vinet

Chairman Hines welcomed Chairman Nash and the others from Texas and asked if he wanted to say a few words. Chairman Nash stated it was certainly their privilege to be at the meeting and

hopefully in the spring they can have a joint meeting on the Texas side.

The Commissions then took up the first item on the agenda. ^{Dr.} ~~Dr.~~ Gary Matlock and ~~Dr.~~ Jerry Clark discussed "Compatibility of Fishing Regulations in Common Boundary Waters". Dr. Matlock, Director-Fisheries Division, Texas, addressed a couple of point that have developed over the last two or three years that have lead to some very fruitful results. The first of which is the compability of regulations on largemouth bass and crappie inparticular on both the Texas and Louisiana sides of Toledo Bend, Caddo Lake, and Sabine River. Texas was successful through the efforts of the Louisiana staff about two years ago at getting regulations that were consistent. The result of that agreement to have consistency in the regulations also included the development of a study to determine the effects of that consistency on both the fishermen and the populations of fish. Texas is into that study and very much into collecting data on what the fishermen are doing. Have aerial survey work, survey fishermen at boat ramps and out on the lake itself and sampling populations on the lake. The results of these efforts should be forth coming within the next year or so and hopefully they will indicate some real benefits of having regulations that are consistent and compatibility between the two areas. If nothing else these regulations have done one thing for sure and that is to reduce confusion and enhance enforcement of the regulations. The prohibition of spear gunning for bass in Toledo Bend is consistent with the approach that has been taken in Texas

for some time. In the saltwater area there is still a little ways to go in for the two states, however, there is a tremendous effort going on through the Gulf Council, Secretary Van Sickle's participation and her designee to try and make sure that regulations are consistent, not only in Texas and Louisiana but through the Gulf as well. Dr. Matlock concluded that there is a lot of progress being made and it is very rewarding to see it and hopefully the results of this effort will pan out and fisheries being improved over long term.

Dr. Jerry Clark commented that he would just like to reiterate what Dr. Matlock said about the two states working better together now than they ever have been before. Dr. Clark advised that Louisiana is about to complete a largemouth bass plan and believes that this plan is probably going to take the state further down the road as far as management measures in Louisiana and may be moving more towards the direction of the kinds of regulations that are in Texas. It may be possible in the next year or so that Louisiana might be having regulations as compatible on Caddo and Toledo Bend as Texas' statewide regulations. In the saltwater area Louisiana is trying to catch up. The Commission yesterday passed the mackerel limits that Texas passed several years ago at the request of the Gulf of Mexico Fishery Management Council. Dr. Clark concluded that he thinks the states are working better together than they ever have and also believes it is to the benefit of the resource and to the citizens of both state.

Chairman Hines asked if anyone would like to make a statement. Chairman Nash stated that he knew through Dr. Clark's encouragement Louisiana is getting into the freshwater effort and this has been a tremendous financial impact on Texas and he encourages Louisiana to continue. Mr. Jenkins asked about game fish in Texas on red fish and speckled trout and how long they have had it and what kind of results it proved from a resource standpoint and a financial impact for the state. Dr. Matlock answered that for both species it has been beneficial and has helped the resource, has helped the fishery as a whole, has had a positive economic impact on the state overall although there are some pluses and minuses with each of those. The prohibition of sale of both red drum and spotted seatrout was done in September of 1981 and populations have generally responded by increasing in number. In addition to the prohibition of sale, however, there were some other regulations that were passed at the same time that included some size and bag limit changes and impositions. These have since been addressed additionally as a result of some natural events and the additional protection afforded these species as a result of these changes has simply added to the benefits that have occurred prohibiting sale. Last year, September of 1988, the Commission also prohibited the use of nets for taking any fish in Texas saltwater except for purse seines for taking menhaden and the result of this has been to reduce the incidental legal catch that was killing both red drum and spotted seatrout as well as reduce the directed illegal fishery. The amount of illegal nets confiscated by Enforcement Division has been positive. There has been a reduction in illegal

netting so the impact of activities that were not directed legally at taking both species has been reduced. The result has been that there is more fish for people to catch and more fish available for them to catch more than once so the recreational side the experience of catching these two species has been increased if for no other reason than simply the same fish is available more than one time. The result in this has been an increase in recreational fishing activity. The commercial finfish fishery has been affected and there has been a reduction in the amount of value in the landings but this has been more than off set by the increase in recreational activity in value that has occurred on the coast. Mr. Jenkins asked if a figure or ratio could be quoted on the economic benefit increase. Dr. Matlock stated he could send it to Mr. Jenkins but does not off the top of his head exactly what it was, but would be in the millions. Mr Jenkins asked if Dr. Matlock had any data or information about the by catch from legal netting of the red drum and spotted seatrout. Dr. Matlock answered that the proportion of the total mortality for red drum was on the order of about nine to twelve percent of the total mortality that occurs for this fish. For spotted seatrout it is in the neighborhood of about six to eleven percent.

Mr. Peter Beck informed the Commission that Dr. Matlock brought a recommendation to the Texas Commission several months ago to limit the taking of shark in Texas waters. The Commission looked at the whole situation and felt that it was certainly a sensitive situation and one that needed looking at but they felt

because the rest of the states were really allowing unlimited taking of shark that Texas was not really prepared at that point to limit this as tightly as Dr. Matlock was suggesting. Consequently it was limited but not to the extent that was recommended. The limit is five. At some point it was recognized among the Texas Commissioners that the states would have to get together and figure out where to go with this and how bad the situation was. The states were all going to have to pretty much have to agree and probably go through the Gulf Council to see how this will be done. Mr. Beck would like to hear a little bit from both of the experts on how bad this situation is and find out how quickly the states need to move on this.

Dr. Clark briefed the Commissioners on where the Gulf Council is with respect to this issue and how it got there. About a year ago the National Marine Fishery Service staff became concerned about the situations with sharks. In the last five years shark landings in Florida went from nothing to four million pounds and then dropped back to two million pounds in two years. Sharks landings went from essentially nothing in Louisiana to eight million pounds last year. This kind of dramatic increase in landings have gotten everybody attention. The other thing that got their attention is the fact that these animals are probably next to mammals of all the animals that swim in the sea the least likely to take a harvest pressure of any sort. They have as few as one pup every other year to maybe several dozen on a annual basis but if you compare this to the millions and millions of eggs laid by

a red fish in a single year you will understand the kind of difficulty the shark will have to support a harvest. All of this information was brought to the Gulf Council about a year and a half ago for them to look at. It so concerned them at that meeting that there was discussion of trying to put an emergency moratorium on all harvest of shark in the Gulf of Mexico in the EEZ. This did not happen but at the meeting they began the process of putting together a Shark Management Plan. This plan was moving so slowly that the Council asked the Secretary of Commerce to write a Shark Management Plan and as Dr. Clark understands it the last update received this plan is scheduled for being released and perhaps implemented in May of this coming year. The states are not very far from having a document that can be reviewed and Dr. Clark believes it is appropriate that the staffs of the different states start working now thinking about this document because it will be the first chance for the gulf states to get involved. At least as Dr. Clark is concerned this is the approach he would like to take in Louisiana. There is just so little information available on this species other than the landings that for any one state to try and put it all together just would not make any sense. A draft of the shark plan might be available in the next month or two for review with implementation as early as May concluded Dr. Clark.

Dr. Matlock commented that the approach that is being taken is the one to take and that is to let the states try to do what they can on this issue but in addition to this the Gulf Council has responded to a request from Texas to adopt the same bag limit (five

fish) for everyone fishing in federal waters off Texas. They adopted this recommendation and are recommending that emergency procedures be taken by the U.S. Secretary of Commerce even before the shark plan is done which would be in place for six months. This recommendation passed the council as a result of Secretary Van Sickle voting for it. Secretary Van Sickle was the swing vote to get this in place. This applies only to the federal waters off Texas stated Dr. Matlock.

Mr. McCall asked about the movement in the Gulf on Tuna. A large number of ex-oil company boats were fishing for tuna but a lot of them after about six months, etc. dropped by the wayside. There are still a number of ex-oil company boats fishing tuna and Mr. McCall asked if there were any reports or data on how much tuna is being brought in or any other information on the tuna industry in the Gulf of Mexico.

Dr. Clark stated that if he remembers right, but don't quote him on it, Louisiana has done almost the same in tuna in the last couple of years as sharks, landings have increased dramatically. This is also interesting as it relates to the shark issue because whenever you put a long line in the Gulf of Mexico you usually catch sharks also and many sharks are taken and killed on these long lines and discarded and never reach shore and are not counted. Dr. Clark stated that there is data on tuna and he will certainly get it for the Commissioners. Secretary Van Sickle advised that the United States or the Gulf Council regulate tuna. Every time

do this project and possibly others.

Mr. Cal Boland with the Toledo Bend Lake Association addressed the Commissioners. Mr. Boland is familiar with what Louisiana is doing and the Sabine River Authority does have a plan and the money is there. They have scaled down their estimate on how much this will cost because they found that they are going to get some help from sources that they did not have before. They are going to build a boat lane from the dam to Logan's Point. They have found, by aerial photos, that there is a tremendous amount of boat lanes that were cut before the lake was ever built. What they have got to do now is connect those lanes and it won't take as long or as much as they originally thought. Then they are going to clear those portions of these boat lanes that need clearing and will have to mark them temporarily while the lake is low. They are then going to drive permanent wooden pilings which can be done after the water comes back up. The temporary markers should be in place within three weeks. This is the first years project and Mr. Boland believes that the money they have will take care of the first year project. The second year the plan is to go east and west off of the main boat lane into marinas and highly populated areas. This is where it is hoped that the Texas people will try and do the same thing on their side. The third and fourth year, whatever it takes, they want to come back and permanently make the river channel. This will be the major operation and this again it is hoped will be a joint operation with the Texas people because it involves both sides concluded Mr. Boland. This is something that the Parks

Division and Fisheries Division of the Texas Department would have to look at. Texas has been has had experience in clearing boat lanes in Caddo Lake. Commissioner Nash as Mr. Travis to make a note so that Texas can coordinate back with Louisiana.

Mr. Dunn commented since Toledo Bend Reservoir is considered by the Federal government as a navigable waterway it does come under United States Coast Guard jurisdiction he does hope that someone is taking into account that there is a specified inland waterway marking system that the Department of Transportation, U.S. Coast Guard requires to be complied with. He suggested that the Marine Safety Office, located in Galveston, Texas, approve the marking system is being constructed so that the states do not have to go back later and spend a lot of money trying to meet the federal specifications. Mr. Gary Tilyou stated that in the original application all the Coast Guard requirements were met and when it is redone again this will be taken into consideration. The Coast Guard will probably be involved and will look at the final plans. The Sabine River Authority is the third party in this particular Wallop-Breaux project, the department is going to supply the funding but the Sabine River Authority is going to do all the contracting, etc. DOTD has already drawn up a lot of the engineering work commented Mr. Tilyou. Mr. McCall asked if the Coast Guard was now patrolling the waterways. Mr. Dunn answered they do not man the lake. They did have a station on Toledo Bend in approximately 1973 which was located on the Texas side near the bridge. They left the area due to a lack of funds. On the

Louisiana side for a while State Police did have a water patrol but it has diminished. The Coast Guard does not enforce anything on the lake because they do not have a team but have threatened on occasions to send a team in due to negligent on the part of a professional guide on the lake for carrying passengers for hire without a charter license and a warning was issued to the public approximately three or four years ago in this regard, so they do have an interest on the lake.

Mr. Dunn continued and advised that on September 13 he attended a meeting of the Sabine River Authority Environmental and Forest Committee. At this meeting there was a quorum so they could not make a decision but they did have an open discussion where at the shoreline managers of the Sabine River Authority Louisiana side brought out a number of points, one of which that there are 331 oil and gas wells underneath the lake. Those 331 oil and gas wells exact location are unknown and their condition was stated to be unknown but they do know that some have been plugged, capped and some have not. It was stated that many of these oil wells have only manual valves holding back an oil spill and if something was not done quickly we could have an ecological disaster on the lake. This would not only be on the lake but there are some very sensitive ecosystem down the Sabine River with refuges and the impact could be devastating. Mr. Dunn is trying to get in touch with a petroleum engineer to find out what the damage would be should one of the wells break loose and what the potential is. Mr. Dunn requested that Texas and Louisiana recognize this has been

brought up as an issue and it needs looking and in addition to this it was stated by the lake engineer (Louisiana) that the original shoreline survey establishing the lease fact on Toledo Bend was in error in that the individuals running the survey did not use proper procedures to conduct the survey. Subsequently population ingress caused a large number of homes to be built on lease site thinking it was private land because it was not marked. As a result of the flooding this past spring Mr. Dunn was informed by the Acting Executive Director Mr. Hayes at that meeting that they had begun a plan to identify a violation of individuals living on that lease fact and polluting the lake. They have found four hundred on the Louisiana side. The shoreline management officer stated that if something is not done quickly the reservoir will be lost due to pollution. Mr. Dunn stated that he has written to Dr. Templet, DEQ, telling him about the potential disaster and requesting their help. It was also stated at the same meeting that repeated request to DEQ and to the health departments resulted in negative results and no response concluded Mr. Dunn.

Ms. Mary Ridgeshaw commented that she was at the same meeting as Mr. Dunn and she asked ^{the} Environment Committee if they would consider appointing an ad hoc committee to review the five year plan of the boat lanes, etc. before it ^{became} ~~was put in~~ concrete. She was told since there was no quorum nothing could be done. Ms. Ridgeshaw thinks that there is a very negative attitude towards the lake which is not healthy.

Mr. Pol asked who made up the Sabine River Authority. Mr. Dunn answered the members are from Calcasieu, Sabine, Desoto and Vernon parishes. They are appointed by the Governor to serve at his pleasure. Mr. Pol stated that he believed that the Sabine River Authority is the authority that should receive these complaints. Mr. Dunn stated they have received the complaints but they are not doing anything about it.

The next item discussed to be discussed was the licensing changes affecting non-resident Texas and Louisiana hunters. Secretary Van Sickle advised of the following changes in the Louisiana State law that affect non-residents coming from Texas to Louisiana to hunt. These changes are:

Louisiana has abolished the reciprocal license agreement provisions of state law and there is no longer a reciprocal license agreement for Texas hunters to come to Louisiana.

Louisiana no longer has the authority anymore to charge a Texas hunter what a Louisiana is charged in Texas. As a result of this Louisiana will ^{generate} make about \$100,000 more this year from non-resident license in general, hunting and fishing. ^{the} Basic non-resident hunting license for the whole season is \$75.50 plus big game is \$40.50 totalling \$116 for a non-resident hunter. Louisiana hunters are still complaining about the Texas ^{big game} license being so high.

Waterfowlers from Texas will pay only the basic \$75.50 plus a state duck stamp in addition to the federal duck stamp.

*Shorn -
do not put
in complete
minutes in
minutes.*

Regarding fishing there is a new trip license for non-residents that is \$8.00 for a two day trip to Louisiana.

Louisiana has doubled fee for
★ ~~Have gone up on~~ the non-resident commercial fishing license.
non-residents
Instead of paying \$50 ~~you~~ will now pay \$100.

The Louisiana legislature has created a
★ A new license for oyster harvesters that is \$100 per individual and the non-resident charge is \$400 per individual. If a person is caught fishing in a polluted they will loose their license up to three years.

in general
Louisiana is roughly twenty percent lower than the southeastern regional average even though the license fees ~~did~~ go up.

Mr. Travis informed the group of the following Texas licenses:

Non-resident hunting license is \$200 which enables the bearer to hunt deer and turkey. There were 12,878 sold last year and 45 percent sold were to Louisiana citizens. This is a seasonal license.

Non-resident special hunting is a small game license and for season cost \$75. There were 1,852 sold last year.

Non-resident five day special which is \$25. This license

usually is bought for waterfowl hunting. There were 15,400 sold last year.

Out of 30,000 licenses that were sold to non-residents 33.7 percent individuals came from the state of Louisiana. As far as the future is concerned there are no plan anticipated for a fee increase on any of the hunting non-resident license. There has been some discussion trying to get ready for the session in 1991 to maybe come in and create a five day non-resident license that would entitle the individual to harvest does and turkey and will cost about \$100. Texas also got out of the reciprocal agreement business a number of years ago.

Chairman Nash stated that Texas is also having their oyster problems and Dr. Matlock is trying to get information about the number of oysters that are harvested on private leases versus commercial open waters. Secretary Van Sickle stated that the department does not keep tract of landings based upon whether it was private or state grounds. Chairman Nash advised that Texas has adopted an oyster plan recently and as an advisory committee. A shrimp plan will probably be adopted in November and also have a advisory committee. Texas is rapidly moving into limited entry. Secretary Van Sickle advise that Louisiana has a Oyster Task Force, Shrimp Task Force, Finfish Task Force and one on Crabs is being developed. Everyone of these groups has requested that one of their goals be the limited entry for fisheries. Mr. Vinet commented that he would like to see Texas and Louisiana work

together as far as having laws that coincide whereas they would better the Texas and Louisiana coasts.

The bass populations in Toledo Bend were brought to the attention of the Commissioners and discussed. Dr. Clark advised the group that the 400,000 bass that Texas has committed to stocking is almost equal to the entire output of the Louisiana hatchery system for the entire state. Louisiana is going to put in this years budget monies for a state hatchery which will be the first complete state hatchery build since the 1920s' in Louisiana.

The waterfowl regulations were next to be addressed. Secretary Van Sickle stated that would like to have Texas ^{the Commissioners} talk ^{discuss} about what they would like to see in regulation changes. Chairman Nash stated that if California is going to hold up and say that their birds do not migrate and they are able to kill four, which is highly questionable, he certainly thinks with the wood duck situation it should be included in Texas bag. This has fallen on deaf ear but maybe with Mr. Turner who is the new director of the USFWS a fresh start may be obtained. Chairman Nash's point of having this issue on the agenda was maybe locking arms with Louisiana and going forward and bring a common voice to the USFWS. It was suggested that it may need to be a two prong approach. If Texas and Louisiana could prove to the federal government, perhaps jointly, that they are doing everything they can to promote the hatching process for the wood duck and at the same time ask for that extra duck. There is a new wood duck box on the market that

is put out by International Paper Company, is biodegradable and in two years decomposes, and very inexpensive. Just nail it to a tree and walk away, the box does not become a death trap if it is not maintained. Chairman Hines advised that a top priority with Louisiana on waterfowl was the special teal season. A three day season would have a lot of advantages and very few disadvantages. It would sell more licenses, get more people to improve the habitat, and would be beneficial in fund raising since it comes before the Ducks Unlimited fund raisers. This has been mentioned to the USFWS and Director Turner said he would take it into consideration for next year. Texas is in agreement with the teal season and plans on asking for six days.

The problem of a non-resident buying a non-resident fishing license either in Texas or Louisiana to fish in Toledo Bend Lake was briefly discussed. Texas would like to see that when a license is sold to anyone from either Texas or Louisiana that person could fish anywhere in the lake. Texas is going to find out if they have the power to do this as a Commission and if not they are going to their legislature.

Chairman Nash stated that they appreciate the opportunity for this meeting and look forward to having Louisiana come to Texas in the spring in San Marcos, Texas. Chairman Hines commented that it has been their pleasure to host the meeting and hope to host some more in the future.

Mr. Jenkins moved for adjournment of the joint commission meeting and seconded by Mr. Palmisano. Passed unanimously.

Virginia Van Sickle

Secretary

DRAFT

Ask
Blue water
to return

MINUTES OF MEETING
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
OCTOBER 5-6, 1989

Chairman Don Hines presiding:

Thursday, October 5, 1989

Mr. James Jenkins
Mr. Norman McCall
Mr. Joe Palmisano
Mr. Warren Pol
Mr. Dale Vinet

Secretary Van Sickle was also present.

Chairman Don Hines presiding:

Friday, October 6, 1989

Mr. James Jenkins
Mr. Norman McCall
Mr. Joe Palmisano
Mr. Warren Pol
Mr. Dale Vinet

Secretary Van Sickle was also present.

The minutes of the regular monthly meeting of September 7-8, 1989, were unanimously approved at Thursday's meeting with a motion from Mr. Jenkins and seconded by Mr. Pol.

At Thursday's meeting Chairman Hines stated that the first item of business to be taken up by the Commission was the Appeal of the Decision of the Rescission of Louisiana Natural and Scenic Rives Class B Use Permit No. 240 - Union Oil and Gas Division, Unocal Corporation. Mr. Palmisano stated that after listening to both presentations and Secretary Van Sickle's remarks he would like to make a formal motion that the Commission directs Secretary Van

Sickle, as head of the permitting agency, to go ahead and issue the Class B Permit No. 240 in its original state along with additional mitigation, ~~and that being construction of shell islands adjacent to the bayou bank and each side of the canal openings, and these shell islands are to be constructed of filter cloth with an earthen cover and on top of that cypress trees and oak trees~~ ^{are} to be planted on these islands and ~~that~~ ^{he stated that} the department and Secretary Van Sickle ~~shall~~ ^{shall} ~~go ahead and~~ ^{mitigation} work out the details as far as the mitigation is concerned with the width of the shell islands, ~~and~~ ^{ok} with Union Oil in issuing the permit. Seconded by Mr. Pol. Mr. McCall stated that due to a possible conflict that he was going to abstain from voting. The record shows that Mr. Norman McCall is abstaining from voting on this issue to avoid any possible conflict of interest and let the record ~~show~~ ^{further} show that Mr. Dale Vinet is present. Motion passed.

She stated that this action was
Secretary Van Sickle stated she would like to ask a question. ~~This is~~ ^{she wished} for one single permit and ~~would like~~ to know what the Commission expects her to do with permits like this on other rivers, because she is going to continue to deny ~~them~~ ^{permits} unless the Commission tells her now ~~unless~~ ^{that} they want to have oil and gas development on scenic rivers. ~~What is the bases for doing this so that she will~~ ^{she asked for an explanation of the basis for the Commission's} ~~consider this~~ ^{admir} have guidance in the future, ~~so that this does not happen again.~~

Mr. Palmisano commented that his motion was based on the fact that this general area ^{for} has been developed in oil and gas ^{over} in the past "umpteen" years and over a hundred and thirty something wells

are drilled within a couple of miles of the area. He cannot see holding back this location for that reason. Mr. Palmisano ^{is of the opinion} ~~thinks~~ that with the mitigation work that is going to be done it is actually going to enhance the area rather than take away from it. ~~In this respect~~ is why Mr. Palmisano moved to ~~go ahead and~~ reverse Secretary Van Sickle's decision. He ^{stated that he} feels that everybody on the Commission wants to protect the scenic value of all the rivers and streams, and thinks that ^{scenic river permits have} ~~it has~~ to be taken on a one on one basis, ^{each permit} ~~and~~ look at ~~them~~ ^{Jenkins and other members} case by case. The Commission [^] agreed.

At Thursday's meeting Mr. Mike Landrum discussed the Commission's Authority to set Channel Catfish Limits. Mr. Landrum advised that he was requested to look at R.S. 56:326 with regard to the Channel Cat which is locally called the "white or eel cat" and to render an opinion as to the authority the Commission has to vary the size limit on this species of catfish. This was a fairly easy job to render opinion on and the statute is quite clear commented Mr. Landrum. Mr. Landrum then quoted the statute. "The Channel cat locally called the white cat, the eel cat, or the willow cat, eleven inches minimum length with the mouth closed or nine inches with the collar bone off. However, the Commission is authorized to suspend or reduce by resolution the legal size limit on channel catfish in those areas of the state where biological data indicates that such a suspension or reduction in the size limit would not be detrimental to the resource." ^{Mr. Landrum stated that} ~~The~~ statute is quite clear and it does establish a fixed definite limit on the size of the catfish and it makes one exception and that is where

biological data would support it gives the Commission a certain amount of latitude to reduce the size. Where the biological data is not present Mr. Landrum does not think the Commission has the authority to act and believes the legislature has spoken quite clearly. Mr. Landrum asked if there were any questions. Mr. Palmisano stated that he has some and that he was the one that requested to find out exactly what or what could not be done by the Commission so that action could be taken if the Commission so desired. At this point Mr. Landrum stated that his information was that the biological data did not support this and he called on Mr. Bennie Fontenot.

Mr. Palmisano asked Mr. Fontenot if the presentation that was made in Grand Isle had changed. Mr. Fontenot advised it had not and the data does not support to reestablish the suspension. Mr. Vinet asked if this was the eel cat that was in Des Allemands that the department thought was stunted. Mr. Fontenot answered yes and it is growing normally just like other catfish in the state. An error had been made five or six years ago when they were aged. Mr. Palmisano stated that for those present in the audience who were at Grand Isle he wanted to know, and the rest of the Commission also, if they had any grounds to go ahead and do anything. As far as the legislature and the law is concerned the only way that something can be done is if biological data could support it. Since the department and the biologists say that the biological data does not support so as far as the law is concerned the Commission's hands are tied stated Mr. Palmisano. Chairman Hines

advised that since there will be no action today on this issue and the law expires on December 31, 1989 at midnight so on January 1, 1990 the eleven inch length will be uniform statewide. He then asked if anyone else would like to speak.

Mr. Raymond Joseph Fonseca, Jr., Des Allemands, LA, addressed the Commission. To Mr. Fonseca it seems Lake Des Allemands catfish are real thick and real plentiful and the fishermen deserve a little better than what they are going to get. He would really like to try a compromise somewhere in the intermediate range. Mr. Palmisano advised Mr. Fonseca the only way this could be done would be to go to the legislature because they are the only ones that can change it. With the authority that has been given to the Commission the only way they can change it is if the biological data supports it and this does not look like this is going to happen stated Mr. Palmisano.

Chairman Hines stated that the department and Commission would continue to look at this and if at any time the biological information that comes to the Commission is different it will be brought up again but until that time the Commission has no further recourse then to do what they have done today.

At Thursday's meeting Dr. Jerry Clark presented a Notice of Intent and Declaration of Emergency on Black Drum Harvest Regulations. Dr. Clark advised that everybody that is interested in this issue has spent a lot of time in the last two weeks meeting

and working on this and trying to achieve, if not a consensus, at least a significant majority of the people who would come upon an agreement at least on how to reduce the harvest of black drum in the interim period by approximately fifty percent. The agreement that has been reached is a fourteen inch minimum size for recreational fishermen which will affect a 50 percent reduction in the recreational catch. In the commercial fishing industry an eighteen inch minimum is being recommended that by itself would not affect 50 percent reduction in the catch. However, the commercial industry has agreed to a 300,000 fish quota for the next six months that will make sure that their reduction is equivalent to the recreational catch. The commercial catch will be monitored on a monthly basis and closure will be recommended if the 300,000 fish are met. There is not the same kind of monthly reporting on the recreational fishery as the National Marine Fisheries Data is only collected by-monthly. The data will be reviewed as it becomes available and if the fourteen inch minimum size limit does not affect the 50 percent recommendation the issue will be readdressed because the goal is to be fair to both units to do the 50 percent reduction stated Dr. Clark. Dr. Clark thanked everybody who participated in the process.

Mr. Harlon Pierce, Chairman, Ad Hoc Committee on Black Drum, addressed the Commission. Mr. Pierce read the letter that he drafted and faxed yesterday to Dr. Clark from the Ad Hoc Black Drum Advisory Committee. The letter read: "In response to your mandate that the commercial segment of the black drum fishery reduce its

catch by 50 percent prior to the implementation of a black drum long term management plan and with the understanding from your data that the 50 percent reduction is equal to 300,000 fish based on the average catch from 1985-1988 the Ad Hoc Black Drum Advisory Committee makes this recommendation. Since you have in effect given us a quota of 300,000 fish in an effort to not completely destroy the large drum market and its fishermen or the small drum market and its fishermen in the short term we would like the harvest of this quota to be a fish of an eighteen inch minimum length with no maximum size. This recommendation will achieve the 50 percent reduction mandate while having fewer detrimental effects than the other options we considered. This will allow the department and its advisory committee to work on a long term plan in an atmosphere of less pressure for fishermen that specialize in either large or small drum. We do not feel that the quota will be reached as rapidly as your figures indicate because of several reasons. Among them is the fact that the industry feels there has already been a reduction of 50 percent or more in the harvest as compared to last year and the previous years because of a reduction in fishing efforts. For example in 1988 70 percent of the total catch was during the months of January through June. This year there was a 54.7 percent reduction in catch during that period. Further the incidental catch of black drum is down because of the moratorium on red fish and the trout quota. There has also been a decreased black drum market this year. Changes in and enforcement of the attended net law has served to decrease the drum catch. In addition there has been a decline in the number of

fishermen, in the number of buyers and in the number of processors of black drum. Hopefully these factors will not create a situation where the department has to enact a closure during the short term period. Therefore we ask that your recommendation to the Wildlife and Fisheries Commission be one which will achieve the 50 percent reduction you seek and which will best serve the industry and that the recommendation be that as an interim measure prior to the implementation of the black drum management plan the 300,000 fish quota be harvested with a minimum size of eighteen inches and that the management plan be formulated and instituted as soon as possible." Another discussion that Mr. ^{Pierce}Harlon had with Dr. Clark was that if per chance the management plan is put into effect in January and if it says that we should reduce by 50 percent or more this 300,000 fish mandate stays in effect till April 1, 1990. If the management plan says it should be reduced by anything less than 50 percent than the quota will be added to for those next three months. Mr. Pierce thinks an agreement has been reached that will work for all parties involved and hopes that the Commission goes along with the recommendation.

Mr. Mark Hilzim, ^{Director of the}GCCA of Louisiana, addressed the Commission. Mr. Hilzim stated that like the commercial fishery they have also worked very closely with the department on trying to come up with a program that would meet what their suggested guidelines are. The fourteen inch minimum for recreational as a interim measure is fine and feel that their real directed fishery is smaller fish and larger fish. Will be working closely with the department for the

next six months to see if they can't try to satisfied their directed fishery as opposed to their incidental fishery.

Mr. Jesse Fontenot representing the St. Mary ^{Industrial} Group and the East St. Mary Chamber of Commerce addressed the Commission. Mr. Fontenot stated that it was time for steps to be taken on the black drum and hope good will be done. The black drum is in a very bad situation in their area and very few fish have been caught in the last year or so. Mr. Fontenot asked to bring another matter up before the Commission. Chairman Hines granted Mr. Fontenot's request. Mr. Fontenot stated that he had been in contact with some of the Wildlife and Fisheries biologists concerning nutria. The nutria is in a sad situation in Terrebonne Parish, St. Mary Parish and steps in these areas need to be taken as soon as possible. The nutria have eaten all the vegetation and all you see now is coffeeweed and there are no deer in the area advised Mr. Fontenot. He would like to see the department take steps on whatever can be done and come up with some suggestions. It is very important for the department to workout a program with the land company otherwise a lot more marsh will be lost. Another matter Mr. Fontenot brought up was the oil industry which he has been in for fifty years. He asked the Commission that before any permit be issued in the future for them to find out what they do with the drilling mud left in the dead end canals when they go to move location. In many places it has been dumped in the canal and a lot of it has chemicals in it. Mr. Fontenot advised that he had done this many years ago and just recently he checked a canal where he had supervised drilling

operations in 1956. The drilling mud and the chemicals are still in the dead end canal the day like he dumped it thirty three years ago. Mr. Fontenot would like to see the Department of Wildlife and Fisheries do something to stop this dumping of mud and chemicals in the canals.

(The full text of the resolution is
made a part of the record)

WHEREAS, black drum landings increased significantly from 1984 - 1987, and

WHEREAS, a preliminary stock assessment evaluation by scientists from both the Department of Wildlife and Fisheries and a number of Louisiana universities has indicated that the fishery mortality of black drum in Louisiana is higher than desirable, and

WHEREAS, the joint black drum stock assessment group has concluded it is important to stabilize fishing mortality rates at a level which will maintain an age structure for black drum that would ensure a healthy fishery in the future, and

WHEREAS, R.S. 56:326.1 provides the Louisiana Wildlife and Fisheries Commission may set size limits for all fresh and saltwater game fish and commercial fish, and

WHEREAS, R.S. 56:326.3 provides the Louisiana Wildlife and Fisheries Commission may set quotas for all fresh and saltwater fish, and

WHEREAS, R.S. 49:967 provides the Louisiana Wildlife and Fisheries Commission may employ the emergency provision of the Administrative Procedure Act (R.S. 49:953B) when setting Finfish size limits.

NOW THEREFORE BE IT RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby establish by Emergency Declaration for the recreational taking of black drum a minimum size limit of 14 inches total length and for the commercial taking of black drum a minimum size limit of 18 inches total length, and

BE IT FURTHER RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby establish for the commercial taking of black drum an interim quota of 300,000 fish, and

BE IT FURTHER RESOLVED the Louisiana Wildlife and Fisheries Commission does hereby authorize the Secretary of the Louisiana Department of Wildlife and Fisheries to enact an emergency closure after seventy-two hours notice when the commercial harvest reaches 300,000 fish, and

BE IT FURTHER RESOLVED the Department proceed with the publication of a notice of intent for establishment of minimum size for the harvest of black drum, and

BE IT FURTHER RESOLVED the Finfish Panel established by the Department of Wildlife and Fisheries is requested to work with the Department to develop as soon as possible permanent rules and regulations for the safe harvest of black drum.

A motion was made by Mr. Jenkins for adoption and seconded by Mr. Pol. Passed unanimously.

(The full text of the declaration of emergency is made a part of the record)

In accordance with the emergency provisions of R.S. 49:953(B) and 967(D) of the Administrative Procedures Act, and under the authority of R.S. 56:326.1 and R.S. 65:326.3, the Wildlife and Fisheries Commission hereby finds that preliminary estimates of current levels of fishing mortality on black drum are higher than desirable and accordingly adopts the following emergency rule:

Effective at 12:00 noon on October 12, 1989, there is hereby established for the recreational taking of black drum a

minimum size limit of 14 inches total length, and for the commercial taking of black drum a minimum size limit of 18 inches total length. There is further hereby established for the commercial taking of black drum an interim quota of 300,000 fish. The Secretary of the Department of Wildlife and Fisheries is hereby authorized to enact an emergency closure upon seventy-two (72) hours notice, when the commercial harvest reaches 300,000 fish.

The Wildlife and Fisheries Commission recognizes the black drum landings have increased significantly for 1984-1988 and finds that preliminary estimates of current levels of fishing mortality are higher than desirable. The Wildlife and Fisheries Commission acknowledges the importance of stabilizing fishing mortality rates at a level which will maintain an age structure that would ensure a healthy fishery in the future.

Secretary Van Sickle and Chairman Don Hines thanked everyone for working together and making this compromise possible.

Mr. Vinet asked if a sports fisherman that is catching a fourteen inch fish go and sell that fish commercially if he has a commercial license? *Ms. Van Sickle responded that* The sports fisherman cannot sell ~~a fourteen~~ *thirteen* inch fish, *including those 14" or greater.*

At Thursday's meeting Mr. Tommy Prickett presented a resolution on the Grant Parish DOTD Mitigation Lands. Mr. Prickett

gave background information on the Grant Parish DOTD Mitigation Lands to the Commissioners. Back in the early 80s' DOTD was required through a mitigation plan to purchase some wildlife habitat to replace some habitat that was damaged due to road construction and bridge construction. The property was purchased in the early spring of 1982 and comprises about 3,000 acres of wetland type habitat; 2,500 acres of it was on the Grant Parish side of Little River and an additional 500 acres is on the LaSalle Parish side of Little River. Part of the mitigation plan specified that the Department of Wildlife and Fisheries would take this property and manage it as a wildlife management area and for this DOTD would receive mitigation credits for having a working wildlife management plan in place on the property. Just in the last week Secretary Van Sickle has signed a document transferring the title of this land to the Department of Wildlife and Fisheries. The next step will be to select a name for the property and have it proclaimed by the Governor as a wildlife management area. Mr. Prickett advised that they have come before the Commission with a resolution that has a suggested name and if the Commission would prefer to change what has been recommended it certainly can be done. The dedication of the land will be in the next couple of weeks. The suggested name is Little River Wildlife Management Area. Mr. Pol asked what the expense was to the department for taking over these wildlife management areas. Mr. Prickett answered anytime you take over the custody of a tract of land there is some baggage that comes with it. You are dedicating employee time, biological effort and enforcement effort and in the physical

purchase of signs, equipment and things to do to develop these properties. This piece of property was obtained with no expense to the department but there will be some initial setup and ongoing maintenance cost of providing public recreation on this area advised Mr. Prickett. This will be incorporated into the Federal Aid Budget with which the department manages all of their wildlife areas. This is a very small area and there are no speculations that there will be an intensive developmental type program. The staff is marking the boundaries right now and should be finished tomorrow afternoon and will be opened this hunting season with the same regulations as the state at large. It is too late in the season to formulate special regulations for this area and not sure if special regulations will be needed for this area. After the department has had some experience with the area and what know what kind of wildlife populations it supports, more restrictive seasons or more liberal season may be brought before the Commission stated Mr. Prickett. The area supports turkeys, deer, squirrel, some rabbits and migratory waterfowl during the right time of the year. Little River fluctuates a great deal and the majority at one time or another during the winter months floods so there is some potential for waterfowl and waterfowl management on the area. There are private camps in the inholdings along the river which are lands formally owned by International Paper Company and leased to hunting clubs and some of these clubs still maintain camps that are privately owned for fishing and hunting. These camps are not on the property that the department has acquired. Lands that are being acquired by the department are inspected for dump sites or

any future EPA problems that may occur by the department and in this case other government agencies. If the department is acquiring a tract of land these investigations are made in advance. Mr. McCall made motion to adopt the resolution, seconded by Mr. Jenkins. Passed unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, it is the goal of the Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries to provide areas for sportsmen to pursue hunting and fishing activities, and

WHEREAS, The Louisiana Department of Transportation and Development purchase 3,000 acres in Grant and LaSalle Parishes as mitigation land for damage to lands located elsewhere in Louisiana, and

WHEREAS, Department of Transportation and Development, as part of the mitigation plan, has transferred title of this 3,000 acre tract to the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, this acreage is suitable for establishment of the first wildlife management area in Grant Parish and will provide hunting opportunities to Louisiana sportsmen, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby accept title to this property for establishment of a new wildlife management area, and

BE IT FURTHER RESOLVED, that the area will be opened to the public beginning with the 1989-90 hunting season and shall be named the Little River Wildlife Management Area.

At. Thursday's meeting Mr. Bennie Fontenot presented the Rule on Paddlefish Closure for ratification. Mr. Fontenot advised before he addressed the paddlefish topic, Mr. Mike Cook with the State Times - Morning Advocate called and asked him to introduce and acknowledge a special guest in the audience. Mr. Carl Dunn who is the Executive Director of the Southeastern Outdoor Press Association was recognized by the Commission. Mr. Dunn addressed the Commission briefly stating that he wanted to get to know everyone at the meeting, work with them, and promote goals.

Mr. Fontenot advised that a notice of intent had been passed at the August Commission meeting to close the taking of paddlefish for another three years. Also at that time a detailed program was

given on this. Mr. Fontenot presented the rule for ratification by the Commission. Motion made by Mr. Palmisano to adopt rule. Seconded by Mr. Vinet. Passed unanimously,

(The full text of the rule is
made a part of the record)

Pursuant to the authority granted under Louisiana Revised Statutes, Title 56, Section 22, the Louisiana Wildlife and Fisheries Commission prohibits the taking and possession of paddlefish, Polyodon spathula, commonly called spoonbill catfish, or paddlefish body parts, including eggs (roe), for a three year period beginning November 1, 1989 and ending at sunset on October 31, 1992.

Another visitor was introduced by Chairman Hines; Commission member from the Arkansas Game and Fish Commission, Mr. Maurice Lewis.

At Thursday's meeting Mr. Bennie Fontenot presented a Notice of Intent for Black Bass Regulations, Chicot Lake. Mr. Fontenot commented that Chicot Lake has been selected as one of the Black Bass Trophy Lakes in the state and since June 1, 1988 it has been intensively managed for black bass along with a detailed and heavy research project. A year ago a minimum size limit length was set by the Commission of fourteen inches and a reduce creel to ten

inches. The effects of these regulations have been studied by the department all along and will expire the end of December of this year. The data indicates that if the department wants to really make this a trophy lake the regulations need to be modified and reduce the creel again and increase the minimum size. The department is recommending a five fish daily take and possession limit and also a minimum size of sixteen inches. This recommendation was presented at Chicot Lake a few nights ago to a large group of people that consisted of bass clubs, bass fishermen, local legislators, local rotary club, police jury members and they were in 100 percent of this new regulation. Motion made by Mr. Pol for adoption of notice, seconded by Mr. Jenkins. Passed unanimously.

(The full text of the notice
is made part of the record)

Pursuant to the authority granted under Louisiana Revised Statutes, Title 56 Section 325(C), the Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a minimum size of 16 inches total length and a daily take and possession limit of 5 fish for black bass in Chicot Lake, Evangeline Parish, Louisiana. These proposed regulation will become effective January 1, 1990.

Interested persons may submit written comments on the proposed rule to the following address: Bennie J. Fontenot, Jr., Chief,

Inland Fisheries Division, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, Louisiana 70898-9000.

At Thursday's meeting a Notice of Intent and Declaration of Emergency was presented by Mr. Phil Bowman on Oyster Season Calcasieu Lake. Mr. Bowman advised that the department has now finished its assessment with the oyster populations on Calcasieu Lake and this year have noticed a significant reductions in the oysters that are available for harvest in Calcasieu Lake. In 1988-89 on marketable oysters it was estimated that there were 463,000 sacks of oysters in Calcasieu Lake that were three inches or larger, this year the estimate is 172,000 sacks of oysters that are three inches or larger. The department believes that the reduction is a result of some of the flooding problems they have had in that system this past year. Mr. Bowman presented a resolution on the oyster season in Calcasieu and Sabine Lakes. A motion was made by Mr. McCall to adopt the resolution and seconded by Mr. Jenkins. Passed unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, the harvest of oysters in Calcasieu Lake and Sabine Lake
is regulated by R.S. 56:435.1, and

WHEREAS, the Department may extend the oyster season to compensate for time lost due to health closures as a result of Act 112 of the 1988 Regular Legislative Session, now

THEREFORE BE IT RESOLVED, that the 1989/90 oyster season in Calcasieu and Sabine Lakes will open 1/2 hour before sunrise Wednesday, November 15, 1989, and extend until 1/2 hour after sunset, Thursday, March 15, 1990, and

BE IT FURTHER RESOLVED, harvest will be by tonging only, and

BE IT FURTHER RESOLVED, that the waters of Calcasieu Lake and Sabine Lake will be open only when the State Department of Health and Hospitals classifies these waters as safe for the harvest of oysters, and

BE IT FURTHER RESOLVED, that the Department's Secretary has the authority to delay the closing of this season to compensate for health closures, such delay not to extend past April 30, 1990 or close the season if biological information indicates the need to do so or if enforcement problems arise.

(The full text of the notice of
intent is made a part of the record)

In accordance with R.S. 49:950 et.seq., the Administrative Procedures Act, notice is hereby given that the Louisiana Wildlife and Fisheries Commission publishes its intent to adopt a rule describing the conduct of the 1989/90 oyster season in Calcasieu and Sabine Lakes. The season shall be conducted as follows:

1. The 1989/90 oyster season in Calcasieu and Sabine Lakes will open 1/2 hour before sunrise Wednesday, November 15, 1989, and extend until 1/2 hour after sunset, Wednesday, March 15, 1990.
2. Harvest will be by tonging only.
3. The waters of Calcasieu and Sabine Lakes will be open only when the state Department of Health and Hospitals classifies these waters as safe for the harvest of oysters.
4. The Department's Secretary has the authority to delay the closing of this season to compensate for health closures, such delay not to extend past April 30, 1990 or close the season if biological information indicates the need to do so or if enforcement problems arise.

Interested persons may submit written comments to the Department of Wildlife and Fisheries, Post Office Box 98000, Baton

Rouge, LA 70898-9000, Attention: Philip Bowman, until 4:30 p.m.
December 20, 1989.

Mr. Bowman briefed the Commission on what was seen so far in the oyster season on the other state grounds. The harvest has been significantly reduced as compared to some of the other years on record. The Department feels right now they are kind of in between the worst of situations, still feeling the effects east of the Mississippi River on a lot of the grounds of the above normal salinity and while all the rain and freshwater this year has helped elevate this situation there has not been a sufficient period of time for the spat sets that are now in that area to grow into seed oyster or marketable oysters. In other areas where oysters were being harvested last year, particularly south of Marsh Island, and in some of the areas that were traditionally to fresh for oysters that had oysters because the salinities had increased, the freshwater this year has returned those areas to somewhat of a more normal situation even though are slightly below normal relative to salinity and mortalities have been experienced in those areas.

Mr. Bowman presented another resolution to the Commission for consideration to rescind their provision on the prohibition of use of water pumps to load oysters on the Public Oyster Seed Grounds or Oyster Seed Reservations. The department has looked at this and after some consultation with industry members and staff it is felt that there are sufficient conservation measures in the resolution

that was passed in August that would accomplish the goal and this particular provision is really not needed stated Mr. Bowman.

Mr. Vinet asked if Mr. Bowman had received word that there was a very good spat showing up in the Marsh Island system and wouldn't it be better that this section be kept closed another month or so before it is opened to give the spat a chance. Mr. Bowman answered yes he had received word about the spat and there are a couple of areas that they are going to be recommending to Secretary Van Sickle next week that she leave closed as a result of this. The department is continuing to evaluate the information from other areas and it comes in but Marsh Island is not one of the initial areas that is going to be recommended but if the staff feels it is in the best interest of the industry to do this then the recommendation will definitely be made to Secretary Van Sickle.

Secretary Van Sickle commented that a letter has been received from the Oysters Growers and Dealers Association asking the department to suspend all harvesting on seed grounds hoping that the spat set this year will be next years seed oysters. The industry is encouraging the department as a conservation measure to not allow those oysters to be disturbed and this is the way the department is leaning at this point. The Secretary of the department has the authorization to keep the areas closed. ✕

Mr. Vinet asked if there was any way that the oyster season could be opened, when there is an abundance of freshwater, before

the oysters die and be transferred to another lease. Mr. Bowman answered that they would have to look and see if the law would allow that particular situation but there is some legislation that designates the beginning of the season on the public grounds and the last day of the season on the public grounds. Mr. Bowman will check to see if the department has the authority to move oysters.

A motion was made by Mr. Vinet to adopt resolution and seconded by Mr. Pol. Passed unanimously.

(The full text of the resolution is
made a part of the record)

WHEREAS, the Wildlife and Fisheries Commission at it's August 4, 1989 meeting passed a rule prohibiting the use of water pumps to load oysters, and

WHEREAS, oyster restrictions passed by the Wildlife and Fisheries Commission will achieve the same conservation goal, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby rescinds its prohibition on the use of water pumps to load oyster on the Public Oyster Seed Grounds or Oyster Seed Reservations.

At Thursday's meeting Mr. Phil Bowman gave an update on the oyster season and presented a notice of possible season and harvest restriction alternation.

At Thursday's meeting Mr. Phil Bowman presented a rule on Shrimp Bait Dealers' Permit for ratification. Mr. Bowman stated that this was brought before the Commission at the May meeting. It has gone through the administrative procedure and is now up before the Commission for ratification. There are two amendments that are being requested for Commission consideration stated Mr. Bowman. One is under C. Operations, number 3 - after water add "except Atlantic Clobber, Gulf Menhaden and Threadfin Shad may be kept and sold as bait". The other change is in the last sentence where it says "in lots not to exceed 16 ounces in weight" changed to "in lots not to exceed 48 ounces in weight."

Motion was made by Mr. Vinet to adopt the Bait Dealer's Permit rule, seconded by Mr. McCall. Passed unanimously.

Mr. McCall stated that he would like to make a comment pertaining to oysters. He received a call late yesterday from Randy Roach, Representative, asking him to speak to the Commission members today about ACT 516 which is the Oyster Harvesting License. Apparently there has been some discussion about this since it has come out, mainly to the fact it requires everybody on a vessel to have a \$100 license for resident and \$400 for non-resident. Mr. McCall thinks there is a feeling now that this was designed mainly

for the oyster dredging vessels and there has been some resistance to this from the people who tong oysters and are limited to ten sacks per day. Mr. McCall was asked to bring a copy of a memo from Representative Roach explaining the situation and he has asked that it be put on the agenda for the November Commission meeting where he can come and talk to the Commission about it.

Secretary Van Sickle commented that it is statutory and the \$100 Oyster Harvester's License is a recommendation of the Oyster Task Force. In ^{Mr. Roach's} ~~Randy's~~ letter he says that Ron Dugas of the department agrees with him but from ^{the} ~~a~~ department's respective ^{none} ~~nobody~~ has discussed this issue and ~~there is not a~~ ^{has not been} ~~departmental~~ position. ^{that} ~~rendered~~. The money that is going to be generated by the Oyster Harvester License will be roughly a half of million dollars a year and 40 percent of it will go to the Health Department to make sure that the oyster growing waters are classified appropriately and polluted oysters are not harvested, the remaining 60 percent goes to the Louisiana Department of Wildlife and Fisheries Enforcement Division specifically for oyster law enforcement. Secretary Van Sickle stated that while she understood what ^{Mr. Roach} ~~Randy~~ is getting at she is not sure she agrees with him on this.

Chairman Hines stated that this would be put on the agenda for the next meeting and all interested parties should be notified. The Legal Section needs to get involved and have a reading on what the department's legal authorities are on this issue for the next meeting.

(The text of the rule is
made a part of the record)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), and R.S. 56:497(C), the Louisiana Wildlife and Fisheries Commission is hereby giving notice of its intention to adopt rules and regulations for a special bait dealers' permit which will allow the taking of live bait shrimp by qualified permit holders during the closed season between the spring and fall shrimp seasons.

A. Policy

The special bait dealers' permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp as bait during the closed season between the spring and fall shrimp season. Its purpose is to allow the uninterrupted operation of those commercial establishments which sell live bait shrimp to the fishing public during the spring and fall shrimp season. The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp, or for any other entity which may wish to catch shrimp for their own use during the closed season.

B. Application

1. Application for the special bait dealers' permit will be accepted from January 1 through April 30.

2. Application will be accepted only from the owner of an existing business which sells or plans to sell live bait to recreational fishermen.

3. Application must be made on forms provided by the Department; all information requested must be provided before the application will be processed.

4. Applicant must show proof of having acquired all necessary licenses and permits before the permit will be issued. This includes, if relevant, boat registration, vessel license, gear license, commercial fishing licenses, wholesale/retail dealers license, state sales tax number.

5. Applicant must post a \$1,000 cash bond or surety bond before the permit is issued. This bond will be forfeited if the permittee, his employee, or his contractor violates any provision of the rules and regulations concerning the special bait dealers' permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit. Property bonds are not acceptable.

6. Before the permit is issued an agent of the Department must inspect the facilities of the applicant and verify that the

applicant is operating a commercial establishment which sells live shrimp to the fishing public for use as bait, and that the applicant does have the facilities to maintain live shrimp. Notice to the public must be posted that live bait shrimp are available for sale. The applicant must have onshore facilities, including tanks with a minimum capacity of 500 gallons, available to hold live shrimp. These tanks must have provisions for aeration and/or circulation of the water in which live shrimp are held prior to sale. In determining total tank capacity of onshore facilities, the agent shall not count any tank with a capacity of less than 50 gallons.

7. Only the applicant, his designated employee or his contractor may operate under the permit. If the applicant has a contract with another party who will supply live bait shrimp to him, he must provide the Department written evidence of the agreement. At the time of application, the applicant will specify who will be working under the permit. Should these persons change, the applicant will notify the Department in the manner specified by the permit before the new vessel or persons operate under the permit. The permit is not transferable to any other person or vessel without previous notification to the Department in the manner specified by the permit.

8. Vessel operations under this permit shall be limited to areas specified by the Department in the permit. The applicant shall

specify in his application the area in which he would like to operate.

C. Operations

1. Only the vessel listed in the permit can be used to under the permit. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp must be carried on or built into this vessel; it must be used for both taking and transporting the live shrimp. The vessel must have minimum of one compartment or tank with a capacity of 50 gallons. No other vessel may be used under the permit. Signs which identify the vessel as working under a special bait dealers' permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.

2. Permitted gear is limited to one (1) trawl not to exceed 25 feet along the cork line and 33 feet along the lead line. This is the only gear which can be used or carried aboard the permitted vessel while the vessel is operating under permit; no other commercial fishing gear may be on the vessel when it is being used under permit.

3. No dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp and all other organisms caught while taking live bait shrimp must be immediately returned to the

water. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 16 ounces in weight.

4. Bait shrimp may be taken only from sunrise to sunset; no night fishing is allowed under this permit.

5. The original permit must be in the possession of the person operating the vessel while it is engaged in taking shrimp under the terms of the permit.

6. Each time the permit is used the permittee must notify the Department in the manner specified by the permit. Before the vessel departs the dock under permit the Department must be advised of the time of departure and the general location in which trawling will take place; immediately after the permitted vessel returns to the dock the Department must be notified of its time of return.

7. The permittee shall maintain an up-to-date record of the activities conducted under permit on forms provided by the Department for that purpose. These forms shall be available for inspection by agents of the Department upon request by said agents. Permittee will submit to the Department, not later than September 1, the record of shrimp harvested under permit.

At Thursday's meeting Mr. John Roussel presented a resolution and the rule on Spanish and King Mackerel Recreational Limits for ratification. Mr. Roussel advised that at the June Commission

meeting authorization was given to the department to file notice of intent to establish recreational bag limits for Spanish and King Mackerel. All the provisions of the administrative procedure have been met with the exception of final ratification which Mr. Roussel presented to the Commission. A motion was made by Mr. Jenkins for adoption of resolution and seconded by Mr. Pol. Passed unanimously.

(The full text of the resolution
is made a part of the text)

WHEREAS, both Spanish and King Mackerel are managed under the federal Fishery Management Plan for the Coastal Migratory pelagic Resources of the Gulf of Mexico and South Atlantic, and

WHEREAS, this fishery management plan establishes recreational bag limits for both Spanish and King Mackerel taken in the federal waters of the Gulf of Mexico and South Atlantic, and

WHEREAS, the Gulf and South Atlantic Fishery Management Councils have requested that the Gulf States adopt recreational bag limits for Spanish and King Mackerel compatible with those contained in the federal fishery management plan, and

WHEREAS, on June 2, 1989 the Louisiana Wildlife and Fisheries Commission expressed its intent to establish recreational bag limits for Spanish and King Mackerel, and

WHEREAS, all provisions of the Administrative Procedures Act have been met.

THEREFORE BE IT RESOLVED, by the Louisiana Department of Wildlife and Fisheries Commission that pursuant to the authority granted by Section 326.3 of Title 56 of the Louisiana Revised Statutes the recreational bag limit for Spanish mackerel shall be 10 fish per person per trip; and the recreational bag limit for King Mackerel shall be 2 fish per person per trip for private vessels and for charter vessels the King Mackerel recreational bag limit shall be either 3 fish per person per trip excluding captain and crew, or 2 fish per person per trip including captain and crew, whichever is greater.

BE IT FURTHER RESOLVED, that the complete contents of the rule establishing recreational bag limits for Spanish and King Mackerel is attached to and made a part of this resolution.

(The full text of the rule

is made a part of the record)

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing recreational bag limits for spanish and king mackerel:

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

S.327. Daily Take and Possession Limits Set by Commission

The recreational bag limit for spanish mackerel (Scomberomorus maculatus) shall be 10 fish per person per trip.

The recreational bag limit for king mackerel (Scomberomorus cavalla) shall be 2 fish per person per trip for private vessels. For charter vessels the recreational bag limit for king mackerel shall be either 3 fish per person per trip, excluding captain and crew, or 2 fish per person per trip, including captain and crew, whichever is greater. For the purposes of this rule, charter vessels shall be defined as vessels permitted by the National Marine Fisheries Service to fish as a charter vessel under the Federal Fishery Management Plan for the Coastal Migratory Pelagic Resources of the gulf of Mexico and South Atlantic.

Blue
stated
review
+ edit

At Thursday's meeting Mr. W. B. Watson presented a Notice of Intent for Fish and Wildlife Values. Mr. Watson stated that ~~in~~ ⁱⁿ December of last year in New Orleans the process of developing the wildlife values began with the promulgation of the guidelines to determine these values. A notice of intent was filed on some interim values earlier this year, ~~but~~ ^{these} values were not published in the Register because between the time the notice of intent was filed and the time the department sent ^{the values} to the Register to be published, there were several substantial changes made in the method of calculation and the numbers, ^{this} which necessitated ~~going back~~ ^{with} another Economic Impact Statement on the ~~final~~ values as they would be promulgated, ~~and its impact on the economy of State of Louisiana.~~ These values will be published in the October 1989 Register. After discussion ^{of} ~~about~~ some of the values ~~of the fish and wildlife~~ ^{derived} and how they were arrived ^{at} it was brought out that there are provisions for annual review and changing of the figures.

Dr. Clark recommended that new values be adopted every year using the same procedures and same formulas to update them to the most recent values, ^{He reasoned} ~~if for no other reason~~ that if you get into court and ^{with} ~~you have~~ four year old data and it is four times as high as the most current data that ^{the case will not be very good,} ~~is not going to be right.~~ You always should be in court with the most recent data. A motion was made for adoption by Mr. Jenkins and seconded by Mr. Pol. Passed unanimously.

Mr. Don Puckett, department attorney, commented in regard to Mr. Vinet's comments. Mr. Puckett stated to keep in mind that if

the department seize shrimp that are commercially saleable the department will retain the sale price so the department will be getting what is essentially is market value. Mr. Puckett advised that for the record supplement the minutes with the formula and other data is used to arrive at the figures. Mr. Palmisano requested that minutes reflect the method in which the figures are derived.

Mr. Vinet stated that he had received some materials from National Marine Fisheries pertaining to the hundred count and asked Mr. Corky Perret to give an update. Mr. Perret stated that the Council recently took this issue back up and he was going to let Mr. Bowman handle this since he was there. Mr. Bowman advised that basically as he understood it the Council has revived this issue and is now gathering information to resubmit it to National Marine Fisheries Service. It will go back to them for review and hopefully will not have to go through the entire process again but will have to go through part of it. Louisiana now has a law pertaining to the hundred count but you have to be able to prove that they came from Louisiana waters, violators have got to be caught on the water.

(The full text of the notice
is made a part of the record)

The Louisiana Wildlife and Fisheries Commission hereby gives notice to the public that pursuant to Act 169 of the 1988 regular

session of the Legislature, the Commission intends to adopt monetary values to be assigned to illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life. Said rule is attached to and make part of this Notice of Intent.

A copy of the proposed rule is available for inspection by the public in the Office of the Secretary of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, Louisiana between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday.

For further information contact M. B. Watson, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000 or call (504) 765-2369.

(The full text of the rule is
made a part of the record)

RULE

DEPARTMENT OF WILDLIFE AND FISHERIES

WILDLIFE AND FISHERIES COMMISSION

TITLE 76

WILDLIFE AND FISHERIES

PART I. Wildlife and Fisheries Commission and Agencies
Thereunder
Chapter 3. Special Powers and Duties

Subchapter C. Wildlife Values

S 315. Fish and Wildlife Values

The Wildlife and Fisheries Commission hereby adopts the following values for illegally taken, possessed, injured or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

Game Mammals and Game Birds

Deer	\$474.70
Squirrels	\$ 8.82
Rabbits	\$ 14.84
Turkeys	\$726.24
Ducks	\$ 10.59
Geese	\$ 38.02
Coots	\$ 11.34
Gallinules	\$ 4.01
Rails	\$ 25.89
Snipe	\$ 20.29
Quail	\$ 15.72
Woodcock	\$ 27.13
Doves	\$ 8.85

Non-Game Animals

Raptors (Birds)	\$ 50.00
-----------------	----------

Other Birds	\$ 10.00
Frogs	\$ 8.84/lb.
Turtles	\$ 5.35/lb.
Alligator (Skin)	\$ 45.00/ft.
Alligator (Meat)	\$ 2.00/lb.
Nutria	\$ 2.50
Mink	\$ 12.50
Fox	\$ 15.00
Muskrat	\$ 2.00
Raccoon	\$ 5.00
Bobcat	\$ 45.00
Black Bear	\$2,000.00
Marine Mammals	\$2,000.00
Other Mammals	\$ 10.00

Threatened and Endangered Species

Reptiles (Adult or Young)	\$2,500.00/animal
Reptiles (Eggs)	\$2,500.00/violation
Birds (Adult or Young)	\$2,500.00/animal
Birds (Eggs)	\$2,500.00/violation
Mammals	\$2,500.00/animal
Invertebrates	\$2,500.00/violation

All Non-Commercial/Non-Sport Fish

<u>Marine</u>		<u>Freshwater</u>	
Length	Value	Length	Value
<u>Inches</u>		<u>Inches</u>	
1	\$0.32	1	\$0.17
2	\$0.58	2	\$0.22
3	\$0.89	3	\$0.29
4	\$1.20	4	\$0.43
5	\$1.47	5	\$0.57
6	\$1.72	6	\$0.71
7	\$2.03	7	\$0.82
8	\$2.40	8	\$1.00
9	\$2.72	9	\$1.41
10	\$3.00	10	\$1.70
11	\$3.70	11	\$1.99
12	\$4.69	12	\$2.56
13	\$5.72	13	\$3.14
Over 13	\$5.72/lb.	Over 13	\$3.14/lb.

Recreational & Commercial Fishes

Inch	Red fish	Speckled Trout	Red Snapper	White Trout	Flounder	Croaker	King Mackerel	L.Mouth Bass	Blue Gill	Crappie
1	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.31	\$0.25	\$0.31
2	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.72	\$0.50	\$0.52
3	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$0.93	\$0.58	\$0.52
4	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.05	\$0.73	\$0.72
5	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.38	\$0.85	\$0.76
6	\$1.98	\$1.98	\$1.98	\$1.98	\$1.98	\$2.20	\$1.98	\$1.60	\$1.23	\$1.23
7	\$3.17	\$2.64	\$2.61	\$2.03	\$2.42	\$2.42	\$6.10	\$2.60	\$3.99	\$1.74
8	\$4.36	\$3.30	\$3.24	\$2.08	\$2.86	\$2.64	\$10.23	\$3.59	\$9.59	\$2.26
9	\$5.56	\$3.96	\$3.87	\$2.14	\$3.31	\$2.86	\$14.35	\$4.58	\$23.05	\$2.77
10	\$6.75	\$4.62	\$4.50	\$2.19	\$3.75	\$3.17	\$18.48	\$5.57	\$25.61	\$3.29
11	\$7.94	\$5.28	\$5.13	\$2.24	\$4.19	\$3.49	\$22.60	\$6.56	\$28.17	\$4.45
12	\$9.13	\$5.94	\$5.76	\$2.29	\$4.63	\$3.82	\$26.72	\$7.56	\$30.73	\$6.02
13	\$10.33	\$6.60	\$6.39	\$2.34	\$5.07	\$4.16	\$30.85	\$8.55	\$33.29	\$8.15
14	\$11.52	\$8.39	\$7.02	\$2.94	\$5.52	\$4.50	\$34.97	\$9.54	\$35.85	\$11.04
15	\$12.71	\$10.67	\$8.41	\$3.69	\$6.02	\$4.86	\$39.10	\$12.91	\$38.41	\$14.94
16	\$13.90	\$13.55	\$10.04	\$4.62	\$6.54	\$5.23	\$43.22	\$17.48	\$40.88	\$20.23
17	\$17.37	\$17.20	\$11.96	\$5.77	\$7.10	\$5.60	\$47.34	\$23.67	\$43.54	\$27.39
18	\$21.70	\$21.82	\$14.19	\$7.20	\$7.68	\$6.00	\$51.47	\$32.04	\$46.10	\$29.00
19	\$27.10	\$27.67	\$16.81	\$8.98	\$8.29	\$6.40	\$55.59	\$43.38		\$30.61
20	\$33.86	\$35.09	\$19.87	\$11.20	\$8.93	\$6.82	\$59.72	\$58.73		\$32.22
21	\$42.29	\$44.50	\$23.45	\$13.95	\$9.61	\$7.26	\$63.84	\$79.52		\$33.83
22	\$52.83	\$56.44	\$27.62	\$17.39	\$10.33	\$7.71	\$67.97	\$83.30		\$35.44
23	\$66.00	\$59.21	\$32.50	\$21.66	\$11.09	\$8.17	\$72.09	\$87.09		\$37.05
24	\$82.45	\$62.02	\$38.20	\$22.78	\$11.89	\$8.66	\$76.21	\$90.87		\$38.66
25	\$103.00	\$64.86	\$44.86	\$23.92	\$12.73	\$9.16	\$80.34	\$94.66		
26	\$128.67	\$67.73	\$52.65	\$25.08	\$13.62	\$9.69	\$84.46	\$98.45		
27	\$133.61	\$70.64	\$61.77	\$26.27	\$14.56		\$88.59	\$102.23		
28	\$138.56	\$73.59	\$65.02	\$27.49	\$15.55		\$92.71	\$106.02		
29	\$143.51	\$76.57	\$68.38	\$28.74			\$96.83	\$109.81		
30	\$148.46	\$79.59	\$71.85	\$30.01			\$100.96	\$113.59		
31	\$153.41	\$82.65	\$75.42	\$31.32			\$105.08	\$117.38		
32	\$158.36	\$85.75	\$79.12				\$109.21	\$121.17		
33	\$163.31		\$82.94				\$113.33	\$124.95		
34	\$168.25		\$86.88				\$117.45	\$128.74		
35	\$173.20		\$90.95				\$121.58	\$132.53		
36	\$178.15		\$95.15				\$125.70	\$136.31		
37	\$183.10		\$99.48				\$129.83			
38	\$188.05		\$103.96				\$133.95			
39	\$193.00		\$108.58				\$138.08			
40	\$197.95		\$113.35				\$142.20			
41	\$202.90		\$118.26				\$146.32			
42	\$207.84		\$123.34				\$150.45			
43	\$212.79						\$154.57			
44	\$217.74						\$158.74			
45	\$222.69						\$162.95			
46	\$227.64						\$167.20			
47	\$232.59						\$171.50			
48	\$237.54						\$175.83			
49	\$242.48						\$180.21			
50	\$247.43						\$184.63			
51	\$252.38						\$189.10			
52	\$257.33						\$193.61			
53							\$198.17			
54							\$202.78			
55							\$207.43			
56							\$212.13			
57							\$216.89			
58							\$221.69			
59							\$226.55			
60							\$231.46			
61							\$236.42			
62							\$241.44			
63							\$246.51			
64							\$251.64			
65							\$256.83			
66							\$262.07			

Commercial Fish Species

Species Group	Value/\$/Lb	Species Group	Value \$/Lb
Menhaden	\$0.05	Shrimp	\$ 1.46
Crab, Blue	\$0.41	Crawfish	\$ 0.44
Oyster	\$2.35	Tuna, Yellowfin	\$ 1.52
Drum, Black	\$0.27	Catfishes	\$ 0.48
Buffalofish	\$0.18	Shark	\$ 0.44
Mullet, Black	\$0.64	Sheepshead	\$ 0.18
Carp	\$ 0.09	King Whiting	\$ 0.30
Swordfish	\$3.10	Sheepshead, Freshwater	\$ 0.19
Garfish	\$0.45	Amberjack	\$ 0.58
Snapper, Vermilion	\$1.53	Wahoo	\$ 0.85
Sea Catfish	\$0.13	Grouper & Scamp	\$ 1.65
Butterfish	\$0.42	Shark, Black Tip	\$ 0.32
Tilefish	\$1.18	Tuna, Bluefin	\$13.65
Warsaw	\$1.19	Dolphinfish	\$ 0.83
Grouper, Yellowedge	\$1.73	Shark, Bonito	\$ 0.72
Grouper, Yellowfin	\$1.71	Scamp	\$ 1.89
Grouper, Black	\$1.80	Tuna, Other	\$ 0.41
Scup or Porgy	\$1.12	Pompano	\$ 3.11
Cabio	\$0.84	Tuna, Blackfin	\$ 0.38

Bluerunner	\$0.36	Triggerfish	\$ 0.74
Shark, Thrasher	\$0.39	Grouper, Snowy	\$ 1.74
Shad	\$0.18	Spanish Mackerel	\$ 0.30
Tuna, Bigeye	\$2.30	Bearded Brotula	\$ 0.68
Snapper, Queen	\$1.35	Snapper, Silk	\$ 1.51
Bluefish	\$0.27	Grouper, Marbled	\$ 1.34
Grouper, Gag	\$1.82	Shark, Longfin Mako	\$ 1.00
Bowfin	\$0.27	Snapper, Other	\$ 1.69
Snapper, Black	\$1.44	Crab, Stone	\$ 2.00
Tuna, Albacore	\$0.74	Sculpin	\$ 1.04
Bonito	\$0.29	Jewfish	\$ 0.91
Squid	\$0.34	Eel, Common	\$ 0.47
Shark, Tiger	\$0.35	Snapper, Lane	\$ 1.97
Spot	\$0.31	Snapper, Mangrove	\$ 1.18
Tripletail	\$0.55	Driftfish Black	\$ 1.11
Hind, Speckled	\$1.36	Grouper, Other	\$ 0.71
Paddlefish	\$0.18	Marlin, White	\$ 0.80
Shark, Sanbar	\$0.27	Marlin, Blue	\$ 0.82
Snapper, Blackfin	\$1.21	Hake	\$ 0.47
Hinds, Other	\$1.32	Spearfish	\$ 0.75
Rudderfish	\$0.59	Sailfish	\$ 0.95
Shrimp, Freshwater	\$0.86	Grouper, Red	\$ 1.53
Snapper, Yellowtail	\$0.79	Crevalle Jack	\$ 0.11
Hind, Rock	\$1.31	Shark, Blue	\$ 0.22
Snapper, Gray	\$0.90	Shark, Hammerhead	\$ 0.31
Tuna, Skipjack	\$1.35	Shark, Sand Tiger	\$ 0.34
Skates	\$0.43	Grunts	\$ 0.33

Snapper, Mahogany	\$1.42	Shark, Dogfish	\$ 0.90
Rays	\$0.31	Sawfish	\$ 0.20
Oilfish	\$0.75	Shark, White	\$ 0.43
Barracuda	\$0.29	Grouper, Yellowmouth	\$ 1.83
SeaBass, Atlantic	\$0.89	Hind, Red	\$ 1.29
Porgy, Red	\$0.86	Moonfish	\$ 0.08
Shark, Soupfin	\$0.30	Marlin, Black	\$ 0.94
Permit	\$0.90	Sardine, Pacific	\$ 0.28
Grouper, Nassau	\$1.24	Eel, Conger	\$ 0.43
Spadefish	\$0.20	Blackfish, Sacramento	\$ 0.29
Filefish	\$0.20	Wenchman	\$ 0.44
Eel, Moray	\$1.00	Sturgeon, Green	\$ 0.43
Snapper, Mutton	\$0.35		

At Thursday's meeting Col. Winton Vidrine gave the Law Enforcement Report. Col. Vidrine reported the total cases made in the following regions:

- Region I - Minden - 75 cases
- Region II - Monroe - 94 cases
- Region III - Alexandria - 62 cases
- Region IV - Ferriday - 30 cases
- Region V - Lake Charles - 218 cases
- Region VI - Opelousas - 205 cases
- Region VII - Baton Rouge - 113 cases
- Region VIII - New Orleans - 713 cases

There was a total of 1,705 cases for September and for the month of September last year there were 1,474 cases, which is an increase of 231 cases. All of this increase comes from Region VIII reported Col. Vidrine. Discussion ensued among the Commissioners and Col. Vidrine on seizure of boats. Mr. Jessie Fontenot, member of the audience, advised that more agents were needed in his area and that personnel on Atchafalaya Delta are not doing their duty.

At Thursday's meeting Ms. Bettsie Baker gave an update on the Ducks Unlimited Contribution. Ms. Baker reported that she wanted to apprise the Commission of some changes that the department has been working through with the Ducks Unlimited people. Ten percent of the departments hunting licenses are to be set aside for Ducks Unlimited. In the last couple of year this has been a great burden to the department and last year they were paid \$362,000. Of this money, DU spent \$100,000 on the North American Waterfowl Management Plan. Working with Butch Bateman, Tommy Prickett, Kell McInnis and the people with DU the department has tried to come forward with a rational plan so that there is stability in the budgetary process of what the department knows they are going to be obligated to pay to DU in the upcoming year. A payment of \$300,000 has been negotiated for starters of which DU will take \$100,000 and contribute to the North American Waterfowl Management Plan and this will mitigate the ten percent obligation. This will save the department approximately \$40,000 this year. If the ten percent obligation is less than the \$300,000 the department will pay the ten percent and DU will get their base \$200,000 and North American

Waterfowl Plan will get up to \$100,000, whatever the differential increment is concluded Ms. Baker. Secretary Van Sickle added that the reason this is brought to the Commission is according to the state law that provides the ten percent to DU, that ten percent is given unless the Commission decides to do otherwise. After a brief discussion on the contribution to DU Ms. Baker asked the Commission for ratification of maximum payment of \$300,000 to Ducks Unlimited unless ten percent of license sales are less than that then they would get the ten percent up to \$300,000. Mr. Palmisano made motion to adopt, seconded by Mr. Jenkins. Passed unanimously.

At Thursday's meeting Secretary Van Sickle gave her report to the Commission. Secretary Van Sickle reported that Mr. Tommy Prickett has been promoted to Assistant Chief of the Game Division which was previously held by Mr. J.B. Kidd who retired after thirty seven years. There are not two new entities that the Commission will be dealing with. The first is that the Governor and the department have committed to working with the crab industry to address their problems. There will be a Crab Task Force that will convene within the next three or four months. The second group was just formed by the Governor last week and they are called the Governor's Task Force on Land Acquisition. The Governor will be willing to work with the department and the legislature on perhaps setting up a fund or putting some money into the department's Natural Heritage Trust. The Heritage Trust does not just include money for direct land acquisition but it also includes twenty percent maximum for management of the land. The membership is

being worked on and it has been recommended to the Governor that the Nature Conservancy chair it with Nancy Craig being the representative. Other members of the task force include the Wildlife Federation, Sierra Club, Chairman of the House Natural Resources, Chairman of Senate Natural Resources Committee, Skipper Dickson as At-Large-Member from north Louisiana, and two member of the Wildlife and Fisheries Commission (Dr. Hines and Bert Jones), There will be about fifteen members serving on this task force. The Governor is going to add two more House and Senate members because whatever this task force comes up ~~and the deadline is April 1990~~ prior to the ¹⁹⁹⁰ Legislative Session will ^{likely} require legislation. If the Governor is going to transfer a certain so many of millions of dollars to the department for and acquisition he cannot do this alone, the Legislature have to do this through the budgetary process. The task force is going to actually make a recommendation on the long range plans for land acquisition and not just in light of this surplus that is in the government right now. The New Orleans building has been mentioned as something else that is worth millions of dollars and Secretary Van Sickle told the Governor of the Commission's interest in taking the New Orleans building sale and putting that money into land acquisition. Hopefully between now and April there will be a long range plan for land acquisition that will have a high profile of both the Commission and the Conservation Community involved. Secretary Van Sickle asked if anyone had any questions. Mr. Jenkins asked that the money that will be set aside if certain portion of this will be for land acquisitions on behalf of Wildlife and Fisheries. Secretary Van

Sickle answered it will 100 percent for Wildlife and Fisheries. If it goes to the Natural Heritage Trust Fund this is a fund that the department controls. Specifically in the executive order creating the task force it says the department of Wildlife and Fisheries and their Commission will be responsible for picking the land, etc. Mr. Pol asked if the building in New Orleans had anything to do with this. Secretary Van Sickle stated it could. The Legislature has total authority on what to do with the department's building. Mr. Pol stated that all he wanted to see is that the department does not swamp the building off for nothing. He does not want the buildings to be part of the negotiations for that which will be set aside to do what other administrations have done.

Ms. Bettsie Baker gave an update on the New Orleans building. Ms. Baker reported that at Secretary Van Sickle's request she has ~~held up on getting an~~ ^{not contracted yet for the} appraisal on the New Orleans building. She believes there will be a point in time where this will be appropriate but would like to see the task force get in place and then get an assessment of what the value is. Mr. Pol asked why we couldn't still get the appraisal, the Commission wanted one and why should this be stopped. Ms. Baker stated that since there was not a budget line in the budget for professional services that she will have to go to the division of administration for approval of getting an appraisal. Mr. Pol stated he cannot understand why isn't this being done when the Commission asked to have it done.

Secretary Van Sickle and Ms. Baker stated it will be done but they may turn it down at division of administration, ~~because of all politics of everything.~~ Mr. Pol stated that he is firmly convinced that the department is going to lose the building but he would like to know before it is lost how much it is worth. Ms. Baker will proceed with the request to the division of administration for approval of an appraisal on the New Orleans building.

Mr. Dale Vinet asked Secretary Van Sickle what was the letter they had received about the person who was going to sue if the oyster leases are not put up for bid. Secretary Van Sickle informed the Commissioners that the department has received a notice from an attorney (Mary Olive Pierson) in Baton Rouge and has given the department thirty days to change ^{the manner in which oyster} ~~our ways~~ or ^{leases} ~~she~~ ^{is going to represent someone in suing} the Commission and try ^{to} ~~to~~ get a court order to make all of the oyster leases null and void because they have not been publicly bid. This was received day before yesterday, copies were sent to the Commissioners and a copy to Don Puckett. Discussion ensued among the Commissioners and Mr. Puckett on this matter.

The date for the December Commission meeting were set for December 14th and 15th at the Royal Orleans. The meeting will be held in New Orleans, Louisiana.

Chairman Hines advised the Commission that they will meet in the morning at 9:00 a.m. to discuss Attorney Mary Oliver Pierson's

letter to the Commission concerning public bids for oyster leases and other business that might be brought up at that time.

Mr. Jenkins commented that from time to time the Commission could use the advice of the department's counsel at the Commission meetings. Mr. Jenkins requested that at least one of the attorneys for the department and Commission attend the Commission meeting. Mr. Don Puckett informed Mr. Jenkins that Secretary Van Sickle and he had discussed this and had resolved for this to be done.

Mr. Dunn informed the Commission that Tennessee for twenty four years has been home to the Southeastern Outdoor Press Association and is now moving to Louisiana to be located at Zwolle, on the lake and would like Louisiana to be on their Host schedule.

Mr. Pol made a motion for adjournment, seconded by Mr. Jenkins. Passed unanimously

On Friday, October 6, 1989, Chairman Hines called the meeting of the Louisiana Wildlife and Fisheries Commission to order at North Toledo Bend, Louisiana State Park, Zwolle, Louisiana. Six members present and a quorum.

Chairman Hines stated that the only item on the agenda is a discussion of communication from attorney Mary Oliver Pierson concerning the public bid for oyster leases. Chairman Hines

recommended that the Commission go into executive session with the department's attorney to discuss this issue since it is a legal matter for approximately fifteen minutes. Mr. Palmisano made a motion that the Commission go into executive session with the department's attorney to discuss this legal matter. Seconded by Mr. Jenkins. Passed unanimously

Chairman Hines reconvened the meeting of the Louisiana Wildlife and Fisheries Commission. The Commission met in executive^{ve} session in which they discussed a letter from attorney Mary Olive Pierson in which she made a request to the Commission that within the next thirty days form the receipt of her letter that procedures begin within the department or through the Legislature to change the procedures from granting oyster leases to a public bid process and that if the department did not comply with this request she intended to follow suit for declaratory judgement asking that the procedure used at the present time be declared unconstitutional and that all current leases be declare null and void. With the advise of legal counsel there is a consensus that the Commission request the Secretary confer with the House Natural Resources Committee and other appropriate branches of government on the feasibility of beginning procedures for granting oyster leases on a public bid process. Mr. Palmisano moved that the Commission direct the Secretary to contact the appropriate governmental agencies to begin proceedings and seconded by Mr. Vinet. Passed unanimously

Chairman Hines informed the Commission that there was one other item of business that needed to be covered. The Commission has a request by Mr Rink who has lost fifteen alligator tags and he has requested that the department issue him some duplicate tags. Chairman Hines asked Mr. Johnnie Tarver for his recommendation. Mr. Tarver commented that Mr. Rink lost fifteen tags and it was a legitimate lose, but the department has a regulation that the Commission passed which states "lost or stolen tags shall not be replaced" which really give the department no choice in the matter. It is Mr. Tarver's recommendation that no more tags be issued to Mr. Rink according to the department's regulation. Mr. Palmisano requested that Mr. Rink be notified of this regulation and why he cannot be issued duplicate tags. Mr. Tarver will call Mr. Rink and notify him of the decision. A letter will follow from Secretary Van Sickle stating the Commission really had no choice in the matter.

At this time Chairman Hines introduced the member of the Texas Park and Wildlife Commission: Mr. Chuck Nash, Chairman, Mr. Peter Beck, Mr. Delo Caspre, Mr. Dickie Travis, Department's Executive Director, Mr. Gary Matlock, Director-Fisheries Division, Mr. Chester Burdick, Law Enforcement Division, Mr. Larry Willowford, Mr. Jerry McRay and Mr. Maurice from the Arkansas Commission.

Motion was made by Mr. Jenkins for adjournment of meeting, seconded by Mr. Pol. Passed unanimously.

Virginia Van Sickle
Secretary

OCTOBER 4, 1989

TO: DR. JERRY CLARK
ASSISTANT SECRETARY
LOUISIANA WILDLIFE & FISHERIES COMMISSION
P O BOX 98000
BATON ROUGE, LA 70898

FROM: AD HOC BLACK DRUM ADVISORY COMMITTEE

IN RESPONSE TO YOUR MANDATE THAT THE COMMERCIAL SEGMENT OF THE BLACK DRUM FISHERY REDUCE ITS CATCH BY 50% PRIOR TO THE IMPLEMENTATION OF A BLACK DRUM LONG TERM MANAGEMENT PLAN, AND WITH THE UNDERSTANDING FROM YOUR DATA THAT THE 50% REDUCTION IS EQUAL TO 300,000 FISH, BASED ON THE AVERAGE CATCH FROM 1985-1988, THE AD HOC BLACK DRUM ADVISORY COMMITTEE MAKES THIS RECOMMENDATION.

SINCE YOU HAVE, IN EFFECT GIVEN US A QUOTA OF 300,000 FISH, IN AN EFFORT TO NOT COMPLETELY DESTROY THE LARGE DRUM MARKET AND ITS FISHERMEN OR THE SMALL DRUM MARKET AND ITS FISHERMEN IN THE SHORT TERM, WE WOULD LIKE THE HARVEST OF THIS QUOTA TO BE OF FISH OF AN EIGHTEEN INCH (18") MINIMUM LENGTH WITH NO MAXIMUM SIZE. THIS RECOMMENDATION WILL ACHIEVE THE 50% REDUCTION MANDATED WHILE HAVING FEWER DETRIMENTAL EFFECTS THAN THE OTHER OPTIONS WE CONSIDERED. THIS WILL ALLOW THE DEPARTMENT AND ITS ADVISORY COMMITTEE TO WORK ON A LONG TERM PLAN IN AN ATMOSPHERE OF LESS PRESSURE FROM FISHERMEN THAT SPECIALIZE IN EITHER LARGE OR SMALL DRUM.

WE DO NOT FEEL THAT THE QUOTA WILL BE REACHED AS RAPIDLY AS YOUR FIGURES INDICATE BECAUSE OF SEVERAL REASONS. AMONG THEM IS THE FACT THAT THE INDUSTRY FEELS THAT THERE HAS ALREADY BEEN A REDUCTION OF 50% OR MORE IN THE HARVEST AS COMPARED TO LAST YEAR AND THE PREVIOUS YEARS BECAUSE OF A REDUCTION IN FISHING EFFORT. FOR EXAMPLE IN 1988, 70% OF THE TOTAL CATCH WAS DURING THE MONTHS OF JANUARY - JUNE. THIS YEAR, THERE WAS A 54.7% REDUCTION IN CATCH DURING THAT PERIOD. FURTHER, THE INCIDENTAL CATCH OF BLACK DRUM IS DOWN BECAUSE OF THE MORATORIUM ON REDFISH AND THE TROUT QUOTA. THERE HAS ALSO BEEN A DECREASED BLACK DRUM MARKET THIS YEAR. CHANGES IN, AND ENFORCEMENT OF, THE ATTENDED NET LAW HAVE SERVED TO DECREASE THE DRUM CATCH. IN ADDITION, THERE HAS BEEN A DECLINE IN THE NUMBER OF FISHERMEN, IN THE NUMBER OF BUYERS AND IN THE NUMBER OF PROCESSORS OF BLACK DRUM. HOPEFULLY, THESE FACTORS WILL NOT CREATE A SITUATION WHERE THE DEPARTMENT HAS TO ENACT A CLOSURE DURING THE SHORT TERM PERIOD.

THEREFORE, WE ASK THAT YOUR RECOMMENDATION TO THE WILDLIFE & FISHERIES COMMISSION BE ONE WHICH WILL ACHIEVE THE 50% REDUCTION YOU SEEK AND WHICH WILL BEST SERVE THE INDUSTRY, AND THAT THE RECOMMENDATION BE THAT AS AN INTERIM MEASURE PRIOR TO THE IMPLEMENTATION OF THE BLACK DRUM MANAGEMENT PLAN, THE 300,000 FISH QUOTA BE HARVESTED WITH A MINIMUM SIZE LIMIT OF 18", AND THAT THE MANAGEMENT PLAN BE FORMULATED AND INSTITUTED AS SOON AS POSSIBLE.

SINCERELY,



HARLON PEARCE, CHAIRMAN
AD HOC BLACK DRUM ADVISORY COMMITTEE

CLASS B USE PERMIT NO. 240
UNION EXPLORATION PARTNERS, LTD.

DATE	ACTION
10/03/88	Copy of plans for the Tenneco Fee "B" Well #17 is received from David Cloud of Morris Hebert, Inc. permit agent and surveyor for Union Exploration Partners, LTD.
10/11/88	LDWF makes a onsite visit to project location while conducting field review on another project.
10/26/88	A geological review meeting is held by Coastal Management Division of Department of Natural Resources. Alternative well site was developed.
01/25/89	LDWF receives Class B Use Permit application for alternative well site.
01/31/89	LDWF sends copy of application to review agencies.
02/23/89	LDWF receives comments from Baton Rouge Audubon Society.
04/05/89	LDWF sends out the public notice on application.
04/21/89	LDWF receives comments from Mr. Gerald Lyons.
05/05/89	LDWF receives comments from the Terrebonne Black Bass Club and the Office of Cultural Development of the Department of Culture, Recreation and Tourism.
05/08/89	LDWF issues permit to applicant.
05/18/89	LDWF sends letter rescinding permit to applicant and receives request for additional information from the Baton Rouge Audubon Society.
05/31/89	LDWF is advised by Department of Environmental Quality of request of denial of permit
06/01/89	LDWF sends letter to applicant explaining the rescinding letter.
06/22/89	LDWF receives request for information from Baton Rouge Audubon Society.
06/28/89	LDWF receives acknowledgement letter from Baton Rouge Audubon Society and a letter from the Coalition to Restore Coastal Louisiana.
06/30/89	LDWF sends acknowledgement letter to Coalition to Restore Coastal Louisiana.
07/11/89	A geological review is held by CMD concerning a revision to the alternative well site.

08/21/89 LDWF receives plans for revised alternative well site.

Some time after the close of the comment period LDWF receives a copy of the Department of Culture, Recreation and Tourism's letter of February 23, 1989. The original letter has not been found.

The existence of the letter was brought to our attention by Mr. John Glenn of CRT after the permit was issued. He expressed concern that their comments were not considered in the final decision (they were not) and informed us that a letter from Mr. Truxillo questioning our action was being prepared. He also agreed to our request to supply us with copies of their original correspondence.

Letters and telephone calls were received from representatives of the Sierra Club and the Audubon Society, specifically Ester Boykin Beckham and Doris Faulkenheiner voicing objections to the fact that we had issued the permit. They also requested the final, written decision document required by R.S. 56:1849 B(2). That document had not been prepared.

Following the above events the decision was made to suspend the permit which has led to this hearing.

APPEAL HEARING BEFORE THE
LOUISIANA WILDLIFE & FISHERIES COMMISSION

Appeal of Rescission of Class "B" Use Permit
No. 240 and Denial of Permit Application by
Ms. Virginia Van Sickle, as Administrator of
the Louisiana Natural & Scenic Rivers System

Brief of Appellant, UNION EXPLORATION
PARTNERS, LTD.,

LISKOW & LEWIS
822 Harding Street
Post Office Box 52008
Lafayette, Louisiana 70505
(318) 232-7424
Attorneys for Appellant, Union
Exploration Partners, Ltd.

I. INTRODUCTION

Union Exploration Partners, Ltd. ("Union"), files this brief in support of its appeal of the rescission of Class "B" Use Permit No. 240, issued to Union on May 8, 1989, rescinded by letter dated May 18, 1989, as supplemented by letter dated June 1, 1989, all signed by Ms. Virginia Van Sickle, as Administrator of the Louisiana Natural & Scenic Rivers System (La. R.S. 56:1840, et seq.), and the simultaneous denial of Union's permit application (copies of said letters attached hereto as Exhibits A, B and C, respectively). Union formally appealed the Administrator's decision by letter dated August 15, 1989 (Exhibit D attached hereto). We have attempted to set out below in an informal manner and as briefly as possible the background and factual context out of which this appeal arises and the reasons we believe the Administrator's decision should be overturned.

II. BACKGROUND

In early 1988 in response to a demand for further development made by Union's lessor, Union decided to drill a well in Lake Pagie Field, Terrebonne Parish, about 19 miles Southwest of Houma on lands then owned by Tenneco Oil Company and now owned by Fina Oil & Chemical Company.

Union initially proposed to drill this well, the Union

Tenneco "B" No. 17 Well from a surface location reached by dredging a canal off the existing Superior Canal a distance of 2,465 feet (See location plats attached as Exhibits E-1 and E-2). From that location, the well would be directionally drilled to a bottom hole location 1,700 feet due South of the surface location with a total vertical depth of 15,000 feet. By drilling directionally in this manner, Union expected to penetrate its various objective sands (the TEX W 1 Sand through TEX W 9 Sand) at close to optimum geologic conditions. These sands are situated between about 13,400 feet beneath the surface down to 15,000 feet. In the course of the permitting process, various permitting agencies, particularly the Louisiana Department of Natural Resources, Coastal Management Division ("Coastal Management"), expressed the opinion that alternative surface locations should be explored to ensure that any adverse environmental impacts were minimized as much as possible. To that end, Coastal Management called for a directional drilling meeting which was held on October 26, 1988. In attendance were representatives of Union, Tenneco Oil Company and the following agencies: Louisiana Geological Survey, Louisiana Department of Wildlife & Fisheries ("Wildlife & Fisheries"), Coastal Management, U. S. Fish & Wildlife Service and the Louisiana Department of Environmental Quality. Alternative surface locations were exten-

sively discussed and considered at this meeting. Dredging in from Bayou Penchant on the Northwest, the Superior Canal from the Southwest and another canal from the Southeast were all evaluated from both environmental and geologic perspectives. Dredging from the Southeast was rejected because, based on Union's view of the geology, it would be unable to adequately explore and test most of its objective sands. A consensus was reached at this meeting by the various interested agencies that Union's proposed well should be drilled directionally from a location accessed by cutting a slip in Bayou Penchant approximately 345 feet in length and wide enough to accommodate a drilling barge. Use of this surface location would require that the well be directionally drilled 3,525 feet to the South of its surface location, a directional distance over twice as great as required under Union's original proposal. The agencies indicated that their approval would be subject to numerous conditions, including:

- (a) No drilling or construction activities would be allowed within one mile of a known active bald eagle's nest between October 1 and May 15 of each year.
- (b) Proposed flowlines, where adjacent to Bayou Penchant, must be located landward of any natural ridge or firm bank line and, where

adjacent to Superior Canal, located landward of the spoil bank on the Northeast side of said canal.

- (c) Since Bayou Penchant was included within the Louisiana Natural & Scenic Rivers System, the agencies also required that a Louisiana Natural & Scenic Rivers Class "B" Use Permit be obtained from the Louisiana Department of Wildlife & Fisheries.

Based upon the views expressed and conditions imposed by the agencies at this meeting, Union revised its permit application and renewed its efforts to have the application, as revised, approved by all interested agencies (See revised location plats attached as Exhibits F-1 and F-2). These agencies included, not only those mentioned above, but also the Terrebonne Parish Consolidated Government, the Louisiana Department of Transportation and Development, Office of Public Works, the Department of the Army, Corps of Engineers, the National Marine Fisheries Service, the Louisiana State Planning Office, the Louisiana Department of Culture, Recreation and Tourism and the Louisiana Department of Health & Hospitals, Office of Public Health.

In the ensuing months, the permitting process proceeded smoothly, albeit slowly. Finally, on May 8,

1989, Union was granted its Class "B" Use Permit (No. 240) by Ms. Virginia Van Sickle, Secretary of the Department of Wildlife & Fisheries, as Administrator of the Louisiana Natural & Scenic Rivers System. The permit was issued subject to numerous conditions, including: requiring Union to have pollution booms on site for immediate deployment; prohibiting Union from discharging any drilling and/or workover effluents except for flocculated filtered water; prohibiting Union from discharging any human waste in violation of the requirements of the Department of Health and Human Resources; requiring Union to use turbidity curtains to contain the turbid waters created during dredging activities; requiring Union to establish a monitoring plan to ensure the effectiveness of the turbidity curtains; requiring Union, upon abandonment of the well, to install and maintain a plug across the mouth of the dredged canal made up of a solid shell core with a concrete matted material cover. The entire plug was required to be covered with soil and planted with the same species of herbaceous plants occurring at the site area. Union agreed to all of these conditions as evidenced in letter dated May 17, 1989 (Attached as Exhibit G). Despite Union's acceding to all the terms and conditions imposed by Wildlife & Fisheries, the very next day, May 18, 1989, Ms. Van Sickle rescinded the permit and denied Union's permit application (See

Exhibit B). The Administrator indicated in this one page letter that significant (but unspecified) adverse impacts to the system could occur as the result of granting Union's application. By letter dated June 1, 1989, the Administrator further enunciated the reasons for her rescission of the permit and denial of Union's application (See Exhibit C). Ms. Van Sickle indicated that, as to the rescission, substantial objections to Union's application were lodged (but these were not identified); and as to the permit denial, she stated that Union's activities were in an "undisturbed area of Bayou Penchant free from obvious man-made structures and bank modifications," and in summary, issuing the permit would be inconsistent with the purposes of the act to preserve and protect the scenic beauties and ecological regime of the area. After the use permit was rescinded, Union attempted to informally communicate with Ms. Van Sickle regarding her reasons for rescinding the permit and denying its permit application, but these efforts met with little success.

Upon determining that Ms. Van Sickle was unlikely to change her position in this matter, Union attempted to secure approval of an alternate drill site. This drill site would be accessed by cutting a slip in the Superior Canal and dredging for a distance of about 1,350 feet (See location plat attached as Exhibit H). This third alter-

native entails directional drilling to a bottom hole location approximately 2,400 feet Southeast of the surface location. A pre-application/geologic review meeting for the alternate location was held July 11, 1989, with most of the interested agencies in attendance. Unfortunately, these agencies could not reach a consensus, but several agency representatives indicated that they believed the Bayou Penchant location would have significantly less environmental impact than the third alternative. Not being able to get approval for its original location or either revised location, Union concluded it had no choice but to appeal the Administrator's decision.

III. ARGUMENTS SUPPORTING REVERSAL OF THE ADMINISTRATOR'S DENIAL OF UNION'S PERMIT APPLICATION

According to Paragraph 26 of the Guidelines and Procedures for Administration of the Natural & Scenic Rivers System Act adopted by the Louisiana Wildlife & Fisheries Commission on September 18, 1973, the Commission may reverse a determination by the Administrator in cases of clear abuse of discretion or when a decision is clearly contrary to the applicable law and evidence. Union strongly believes that this is such a case. Union's proposed drilling operation is, in our opinion, perfectly compatible with the manner in which the land in the area has been used for decades. Numerous wells have been

drilled in Lake Pagie Field; indeed, you will note that the proposed well will be the seventeenth well drilled on this one lease owned by Union. The proposed operations, in our view, will have an inconsequential impact upon the wilderness qualities, scenic values, ecological regimes, recreation, fish and wildlife and the other statutory criteria set forth to be considered in the evaluation of an application for a permit (See, La. R.S. 56:1849C). Slips have been cut all along Bayou Penchant and the adjoining Superior Canal, and canals crisscross the area. Surely this is not a case in which all drilling activities should in effect be prohibited.

Secondly, we believe the rescission of the permit was based upon general and insubstantial objections. Union has no knowledge of any new information of any significance received in the ten days between the issuance of the permit and its rescission. Union was informed of three pro forma objection letters from the Terrebonne Black Bass Club, the Baton Rouge Audubon Society and Gerald Lyons. We believe these parties routinely oppose any drilling in the area, and they appear to be completely oblivious to environmental mitigation measures agreed to by Union or to the fact that Union preferred to dredge off the Superior Canal rather than Bayou Penchant.

Of more significance is an objection filed by Henry A. Truxillo on behalf of the Department of Culture, Recreation and Tourism in letter dated February 23, 1989, addressed to Wildlife & Fisheries (Attached as Exhibit I). The substance of the objection is that Union's proposed drilling is contrary to the spirit and intent of the Louisiana Natural & Scenic Rivers System Act, particularly in light of the fact that:

This segment of Bayou Penchant is in pristine condition and is unmarred by man's activities. Our office feels that the development of an oil well at this site would irretrievably damage the wilderness qualities and scenic values of this site and lower its value for recreation.

Our reaction to this objection is threefold. First, we disagree with Mr. Truxillo's reading of the legislation as prohibiting drilling activity. Some activities are prohibited under the act. These include channelization, clearing, channel realignment and reservoir construction (See La. R.S. 56:1853). Oil and gas mining operations are clearly permissible under the act. The Administrator in La. R.S. 56:1850A(4) is given the authority to regulate drilling and mining operations. This is not an activity that is per se prohibited under the act. Secondly, our visual evidence to be presented to you at the hearing will clearly show that our prospect area has been extensively used by man and will suffer no significant degradation to

its wilderness and scenic qualities as the result of Union's activities. Thirdly, we only learned of this objection during the course of preparing this brief. This objection letter was never brought to Union's attention in correspondence, conversations or conferences occurring after February 23, 1989, the date of the objection letter. In fact, Union was furnished with a letter dated May 4, 1989, signed by the Assistant Secretary of the Department of Culture, Recreation and Tourism indicating that the department had no objections to issuance of the permit (Attached as Exhibit J). This letter is concerned with cultural resources in the permit area. Although Ms. Van Sickle in rescinding Union's permit and denying its application may have relied upon Mr. Truxillo's objection letter, it was not specifically mentioned by her, nor brought to Union's attention until after Union's appeal, and was apparently available to her well prior to the time she decided to issue the permit. It is difficult to understand how this objection letter could serve as a basis of her decision to rescind the permit.

The reasons stated by Ms. Van Sickle for rescission, even as supplemented in the June 1, 1989 letter, merely parrot statutory language regarding purposes of the scenic river system, and she simply announces rather than explains her conclusion that Union's permit application is

inconsistent with those purposes. Numerous other agencies reviewed Union's permit application from a multitude of perspectives, and only the Administrator's decision on behalf of Wildlife & Fisheries stands in the way of Union's being able to drill the proposed well. Are all these other agencies remiss, too lax, well meaning but misguided or ill informed? We think the evidence points strongly in the other direction.

Thirdly, Union has attempted to accommodate all legitimate environmental concerns; indeed, every condition imposed has been agreed to, regardless of cost. Union has agreed to have pollution booms available on site, to use closed systems to prevent any discharge of drilling effluents, to use turbidity curtains, to monitor turbidity levels during dredging and drilling operations to ensure standards set by the agencies are not exceeded, and, upon abandonment of the well, to install and maintain an elaborate plug across the mouth of the canal cut in the bank of Bayou Penchant and to restore the bank to the condition existing prior to Union's operations. Surely, the alternative that the other agencies favor, to cut a slip in the bank of Bayou Penchant for a distance of a mere 345 feet, is far superior from an environmental standpoint to the extensive dredging required under the other two proposals. The record is clear that much less marshland would be

affected by drilling from the Bayou Penchant location (about 3 acres) than by dredging off the Superior Canal (about 13 acres disturbed under the original proposal and about 7 acres under our third alternative). This is also the alternative favored by the landowner who owns the marshland being affected. Access has to be gained in some fashion. It appears that the Administrator does not want any drilling in the area, no matter how responsibly performed.

Lost in this permitting process has been due recognition of the legitimate economic interests of the landowner and Union as lessee. Generally speaking, property owners are free to use their private property as they see fit. Indeed, this right is of constitutional stature. Article 1, Section 4 of the Louisiana Constitution guarantees that:

Every person has the right to acquire, own, control, use, enjoy, protect, and dispose of private property. This right is subject to reasonable statutory restrictions and the reasonable exercise of the police power. (Emphasis added.)

It is one thing to reasonably restrict or condition use of private property; we believe the Administrator's position goes far beyond reasonably restricting to the point of prohibiting any drilling. Rights of riparian landowners are also protected by both statute and agency regulations. Louisiana Revised Statute 56:1852B provides in part:

[N]o provision of this Part shall restrict the normal activities of landowners within the boundaries of their own property.

Paragraph 24 of the regulations approved by the Commission on September 18, 1973 similarly provides:

The Natural & Scenic Rivers Act does not apply to the "normal" activities of riparian landowners within the boundaries of their own land.

Union's valuable leasehold interest is jeopardized by its inability to drill promptly. On the one hand, its lessor insists on further development, and on the other hand, Union is unable to achieve a consensus of the permitting agencies necessary to spud a well. None of Union's three alternatives have been approved, and access to the property must be had by some means.

Union does not deny that drilling operations can adversely affect the environment and should be responsibly conducted, but let us not forget the tremendous economic benefits that the State has received directly and indirectly as a result of the oil and gas industry in Louisiana. In these extremely difficult times for the industry, companies need cooperation, if not assistance, from the numerous regulatory agencies. Certainly, responsible companies should not be discouraged from operating in our State in a manner consistent with and sensitive to the

legitimate environmental concerns of the regulatory agencies and the public at large. Union has agreed to every condition imposed and has pursued every alternative location suggested--all without success. Because of contractual obligations to our lessor/landowner, it is imperative that we obtain a use permit from Wildlife & Fisheries so we can drill in the very near future.

IV. CONCLUSION

We believe all of the essential facts in this case are undisputed. We believe these facts clearly indicate that Union has done everything possible to get agency approval to drill its proposed well. Nothing stands in the way except the Administrator's decision. The Administrator, on behalf of Wildlife & Fisheries, stands alone in blocking Union's alternative drill site to be reached by dredging a mere 345 feet. Such proposal is obviously less destructive to the environment than the other alternatives. Of course, the Administrator can reasonably restrict and condition Union's use of Bayou Penchant. Union has agreed to all such restrictions imposed by the Administrator in conjunction with issuance of Class "B" Permit No. 240. By rescinding the permit and denying Union's permit application, and further, in opposing any alternative location that would allow Union to adequately test its objective

sands, the Administrator has gone far beyond formulating reasonable restrictions to the point of imposing a de facto prohibition against any drilling operations on private property in the prospect area. We strongly believe the Administrator's decision is a clear abuse of discretion and clearly contrary to the applicable law and evidence. We ask the Commission to reverse the Administrator's decision and to order her to reissue a use permit to Union.

Respectfully submitted,

LISKOW & LEWIS
822 Harding Street
Post Office Box 52008
Lafayette, Louisiana 70505
(318) 232-7424

By: 
Richard W. Revels, Jr.

Attorneys for Appellant, Union
Exploration Partners, Ltd.

RWR/rc
036306rwrp 88100.586



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 785-2800

BUDDY ROEMER
GOVERNOR

May 8, 1989

Union Exploration Partners, LTD.
c/o Morris P. Hebert, Inc.
P. O. Box 3106
Houma, Louisiana 70361

Re: "Class B Use" permit # 240
Louisiana Natural and Scenic
River System
Dredge a canal and slip for a
oil/gas well site
Bayou Penchant

Dear Sir:

The Administrator of the Louisiana Natural and Scenic Rivers System is in receipt of your request for a permit dated January 1989, together with drawings to construct and maintain a canal and slip for an oil/gas well site off Bayou Penchant. Bayou Penchant is located in Terrebonne Parish.

The above request has been examined by personnel on the State Planning Office, the Louisiana Department of Culture, Recreation and Tourism, the Louisiana Department of Environmental Quality, and the Louisiana Department of Wildlife and Fisheries. A public notice of this proposed project has been circulated in the areas of interest and to interested individuals known to the Administrator. Whereas there has been no substantial objection to the proposed project, this permit for the construction and maintaining of a canal and slip for oil/gas well site off Bayou Penchant is issued to Union Exploration Partners, LTD. subject to the following condition:

- 1) The construction and maintenance of the canal and slip shall be carried out in accordance with plans and drawings presented to the Administrator except where the following conditions indicate.
- 2) All other appropriate permits from state and federal agencies are acquired.
- 3) Should changes or removal of the proposed project be required in the future, in the public interest, the permit holder shall make

such changes in the project concerned or arrangement thereof as may be necessary to satisfactorily meet the situation and shall bear the cost thereof.

4) If during project construction an archaeological site is encountered, operations shall be temporarily discontinued and the permit holder shall contact the Administrator to determine the disposition thereof.

5) Applicant shall have pollution booms on site for immediate deployment.

6) Applicant shall not discharge any drilling and/or workover effluent except for flocculated filtered water into Bayou Penchant or adjacent waters.

7) Applicant shall not discharge any human waste which does not meet or exceed the requirements of the Department of Health and Human Resources.

8) Applicant shall use turbidity curtains to contain the turbid waters created during dredging activities.

9) Applicant shall establish a monitoring plan to insure the effectiveness of the turbidity curtains. Monitoring plan shall include sampling prior to, during and after the dredging and drilling operations.

10) Applicant shall provide a mitigation plan within 90 days of this permit and implement the approved plan within one year of this permit.

11) Applicant shall, upon abandonment of the well, install and maintain a plug which is made up on a solid shell core with a concrete matted material cover. The entire plug shall be covered with soil and planted with the same species of herbaceous plants occurring at the site area. An onsite inspection of the plug will be conducted by the applicant and this agency.

Sincerely,



Virginia Van Sickle
Secretary

VVS:fod

cc: State Planning Office

La. Dept. of Culture, Recreation and Tourism

La. Dept. of Environmental Quality

La. Dept. of Transportation and Dev., Office of Public Works

La. Dept. of Wildlife and Fisheries, Habitat Conservation Division

La. Dept. of Natural Resources, Coastal Management Division

U. S. Corps of Engineers, New Orleans District

EXHIBIT

"B"

PERCUT-Byrd, N. 2



DEE RICHARDSON

MAY 24 1989

VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

May 18, 1989

Union Exploration Partners, LTD.
c/o Morris P. Hebert, Inc.
P. O. Box 3106
Houma, Louisiana 70361

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: CLASS B USE PERMIT # 240
Louisiana Natural and Scenic
River System
Dredge canal and slip for a
oil/gas well site
Bayou Penchant

Dear Sir:

The Administrator of the Louisiana Natural and Scenic Rivers System has conducted farther review of your application and comments received and has found that significant adverse impacts to the system can occur. Therefore, under the Scenic Rivers Act authority, the Administrator rescinds the issued permit and denies your application for a permit.

Furthermore, if the work has commenced, please consider this letter a cease and desist for this project. No actions in relation to the proposed project may take place.

You have the right to appeal this decision under the provisions of the Scenic Rivers Act.

Sincerely,

Virginia Van Sickle
Virginia Van Sickle
Secretary

RECEIVED

MAY 31 1989

VVS:fod

LAFAYETTE DIST. LAND DEPT.

"C"



VIRGINIA VAN BICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 90000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

June 1, 1989

Mr. Ernie Kubosh
Union Oil Company Of California
4635 SW Freeway
Suite 900
Houston, TX 77027

Dear Mr. Kubosh:

Louisiana Natural & Scenic Rivers Class B Use Permit No. 240 for a drilling location in Bayou Panchant, Terrebonne Parish, Louisiana which was issued on May 8, 1989 was subsequently rescinded for the following reasons.

- a. The permit was issued improperly and contrary to the provisions LRS 56:1849 B(1) and (2).
- b. There was no written report rendered on the final decision.
- c. Several required evaluations were not considered in the final decision, specifically those from the Department of Environmental Quality, the Louisiana State Planning Office and the Department of Culture, Recreation, and Tourism.
- d. A statement in the permit letter stating that there were no substantial objections to the project was in error.

The permit was denied for the following reasons:

- a. The area and site where the proposed action was to occur is in an undisturbed area of Bayou Panchant free of obvious man-made structures and bank modifications.
- b. RS 56:1841 B(1) and (2) state that this system shall be administered for the purposes of preserving, protecting, developing, reclaiming, and enhancing the wilderness qualities, scenic beauties, and ecological regime, aesthetic, scenic, recreational, fish, wildlife, ecological, archaeological, geological, botanical, and other natural and physical features and resources found along certain free-flowing streams or segments thereof.

Mr. Kubosh
June 1, 1989
Page -2-

- b. The proposed activity was determined by the administrator to be inconsistent with RS 56:1841 B(1) & (2).

Sincerely,

Virginia Van Sickle

Virginia Van Sickle, Secretary
La. Dept. Wildlife & Fisheries

VVS/MBW/sw





Oil & Gas Divis
Corporation
ding Street, P.O. f 51388
Louisiana 70501
(318) 232-9724

UNOCAL 76

August 15, 1989

The Louisiana Wildlife and Fisheries Commission
Post Office Box 98000
Baton Rouge, Louisiana 70898-9000

HAND DELIVERED

Re: Appeal of rescission of Louisiana Natural
& Scenic Rivers Class B Use Permit No. 240

Dear Members of the Commission:

Union Exploration Partners, Ltd. ("Union"), hereby formally appeals the decision of Ms. Virginia Van Sickle, as Administrator of the Louisiana Natural & Scenic Rivers System (La. R.S. 56:1840, et seq.) dated May 18, 1989, supplemented by letter dated June 1, 1989, to rescind Class B Use Permit No. 240 issued to Union on May 8, 1989 (copies attached for your review). Union respectfully requests that this matter be considered by the commission at its earliest convenience. We will happily assist in preparing a record for the commission's review, including permit applications submitted to and permits issued by other governmental agencies. Please let us know when you will meet to consider this matter and anything further we need to do to perfect our appeal or assist you in any way possible.

Union has proposed to drill a well (the Union - Tenneco "B" No. 17 Well) on lands now owned by Fina Oil and Chemical Company in Section 17, Township 19 South, Range 15 East, Terrebonne Parish, Louisiana. Union initially proposed to drill this well as a "straight hole" by dredging a canal off the existing Superior Canal, a distance of approximately 2,500 feet (as shown on Plat "A" attached hereto). In the course of obtaining all necessary permits, Union met and/or corresponded with numerous governmental agencies, including the Louisiana Geological Survey, Louisiana Department of Wildlife and Fisheries, Louisiana Department of Natural Resources, Coastal Management Division, U. S. Fish and Wildlife Service, Louisiana Department of Environmental Quality, National Marine Fisheries Service, Louisiana Department of Transportation and Development, Terrebonne Parish Consolidated Government Planning Department, U. S. Army Corps of Engineers, U. S. Environmental Protection Agency, Louisiana State Planning Office and Louisiana Department of Culture, Recreation and Tourism. In response to input received

August 15, 1989

Page -2-

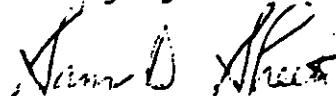
from these agencies and concerns expressed by them regarding Union's original proposed dredging activities, Union agreed to drill its proposed well directionally from a surface location considerably north of its intended bottom hole location (as shown on Plat "B" attached hereto). The suggested surface location would be reached by cutting a slip of approximately 350 feet in length from Bayou Penchant, a water body included within Louisiana Natural and Scenic Rivers System. Such directional drilling substantially increases the difficulty and costs of the proposed well; however, it was the consensus of the interested agencies that damage to the environment by directionally drilling would be greatly lessened (disturbance to 3 acres of marshland as compared with 13 acres by dredging a canal). As mentioned above, Ms. Van Sickie originally agreed to Union's revised permit request and issued a permit dated May 8, 1989. By letter dated May 18, 1989, she rescinded this permit, for reasons supplemented in letter dated June 1, 1989. Union respectfully believes that the Secretary's decision to rescind the permit is clearly contrary to the applicable law and evidence, impermissibly restricts the normal activities of the riparian landowner, and should be overturned. Because of the protracted permitting process of approximately one year and the impending expiration of its contractual rights, Union must spud the proposed well as soon as possible. Union has earnestly attempted to accommodate the environmental concerns and interests represented by the various governmental agencies. Because of the consensus in favor of Union's revised drilling and dredging proposal, we believe it is imperative that we appeal the Secretary's decision in order that we may comply with our contractual obligations.

Please contact us if you have any questions or if we need to do anything further to perfect our appeal. Thank you for your consideration.

Yours very truly,

UNION EXPLORATION PARTNERS, LTD.
LIMITED PARTNERSHIP

By: Union Oil Company of California
Managing General Partner

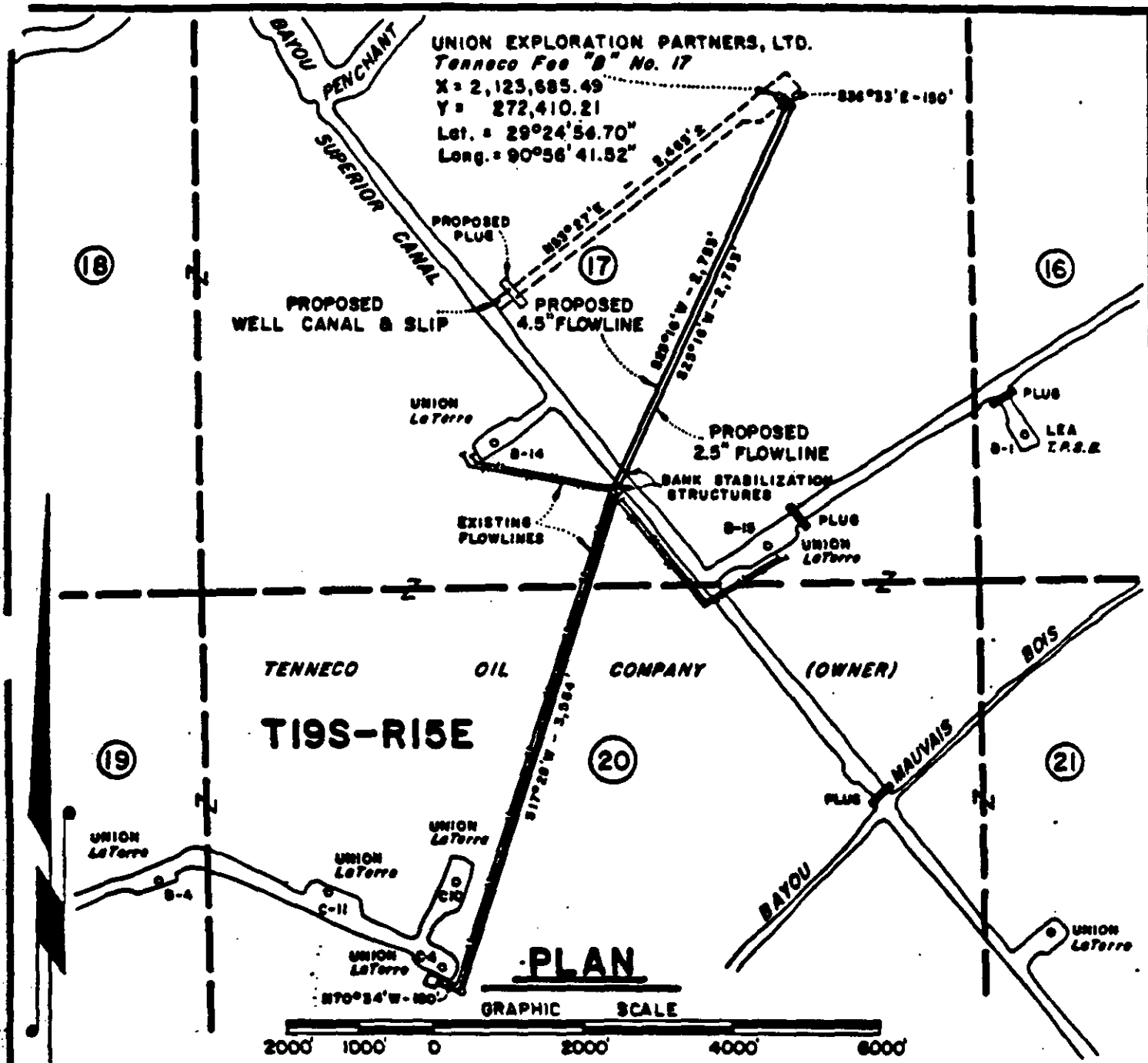
By: 

SAM D. SHEETS
Onshore District Landman

SDS/rc
Enclosures

pc: Mr. Don Puckett
Mr. Mike Landrum

029938WRD 88100.586



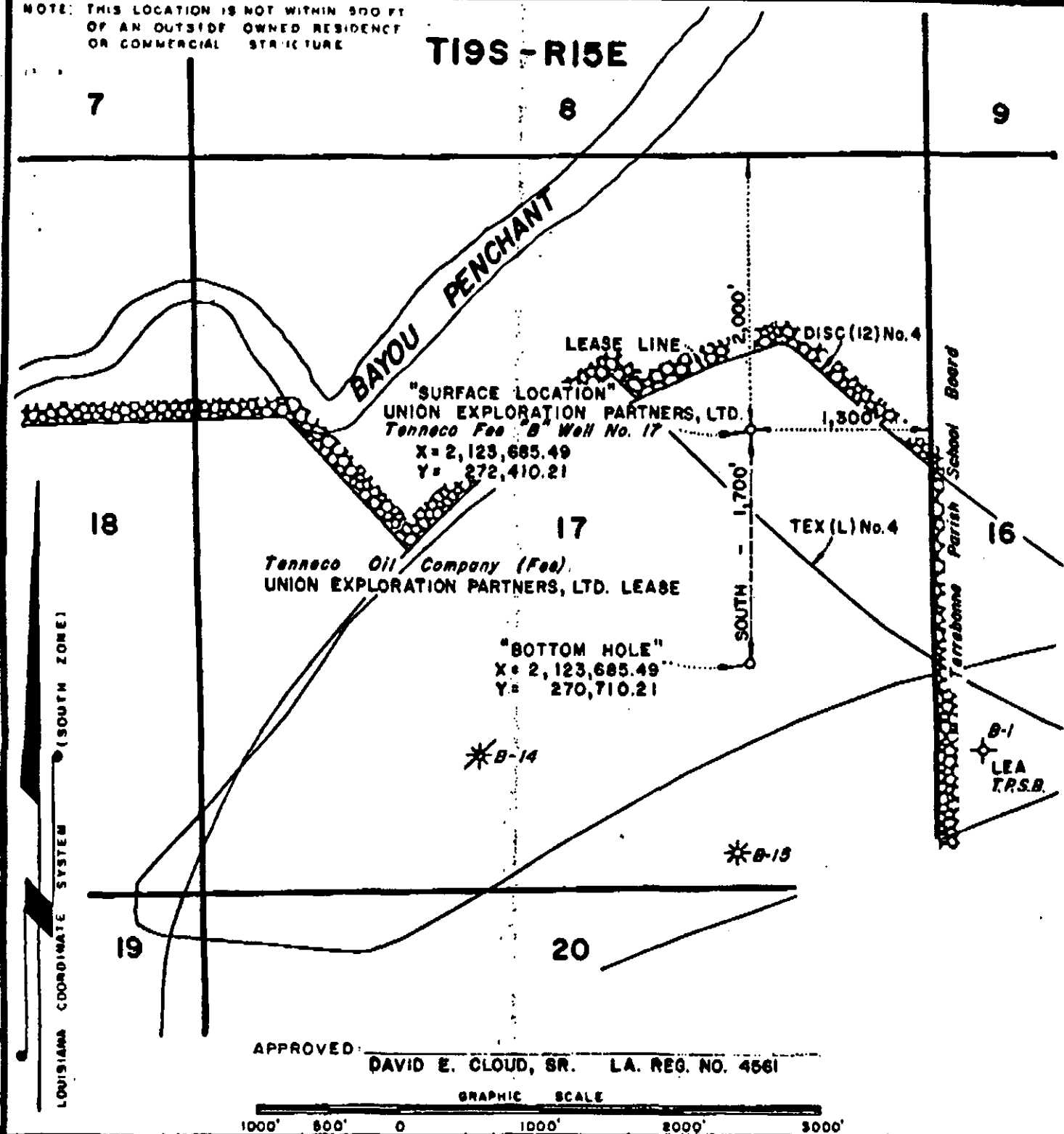
UNION EXPLORATION PARTNERS, LTD.

**PROPOSED DRILLING & PRODUCTION ACTIVITIES
 LOCATED IN SECTIONS 17 & 20, T19S-R15E,
 TERREBONNE PARISH, LOUISIANA**

DRAWN BY: D.E.C.	MORRIS P. HEBERT, INC.	DRAWING NO. 2 of 6
CHECKED BY: M.P.H.	REGISTERED LAND SURVEYORS	FILE NO. A-2874-B
SCALE: 1" = 2000'	HOUMA, LOUISIANA	
DATE: 8/30/88		

NOTE: THIS LOCATION IS NOT WITHIN 500 FT
OF AN OUTSIDE OWNED RESIDENCE
OR COMMERCIAL STRUCTURE

T19S - R15E



UNION EXPLORATION PARTNERS, LTD.

Tenneco Fee "B" Well No. 17; SURFACE LOCATED 1,300' FROM
THE EAST LINE & 2,000' FROM THE NORTH LINE OF SECTION
17; THENCE, SOUTH - 1,700' TO THE BOTTOM HOLE LOCATED
IN SECTION 17, T19S-R15E, TERREBONNE PARISH, LOUISIANA

DRAWN BY D. E. C.
CHECKED BY M. P. H.
SCALE 1" = 1000'
DATE 8/30/88

MORRIS F. HEBERT, INC.
REGISTERED LAND SURVEYORS
HO

DRAWING NO. 1 of 1

FILE NO A-2875

EXHIBIT

"E-2"

T19S - R15E

UNION EXPLORATION PARTNERS, LTD.
Tenneco Fee "B" No. 17
X = 2,123,107
Y = 274,252
Lat. : 29°25'13"
Long. : 90°56'48"

PROPOSED PLUG

PROPOSED SLIP

PROPOSED
4.5" FLOWLINE

BAYOU

284°E - 240'

N81°W
430'

PROPOSED
2.5" FLOWLINE

284°E - 198'

284°E - 198'

LEASE LINE

UXP LEASE

Bottom Hole

ADJACENT PROPERTY OWNER(S).

① Tenneco Oil Company

② State of Louisiana

PLAN

GRAPHIC SCALE

1000' 500' 0 1000' 2000' 3000'

UNION EXPLORATION PARTNERS, LTD.

PROPOSED DRILLING & PRODUCTION ACTIVITIES
LOCATED IN SECTIONS 8, 17 & 20, T19S-R15E,
TERREBONNE PARISH, LOUISIANA

DRAWN: D. E. C.

CHECKED BY: M. P. H.

SCALE: AS SHOWN

DATE: 11/2/88

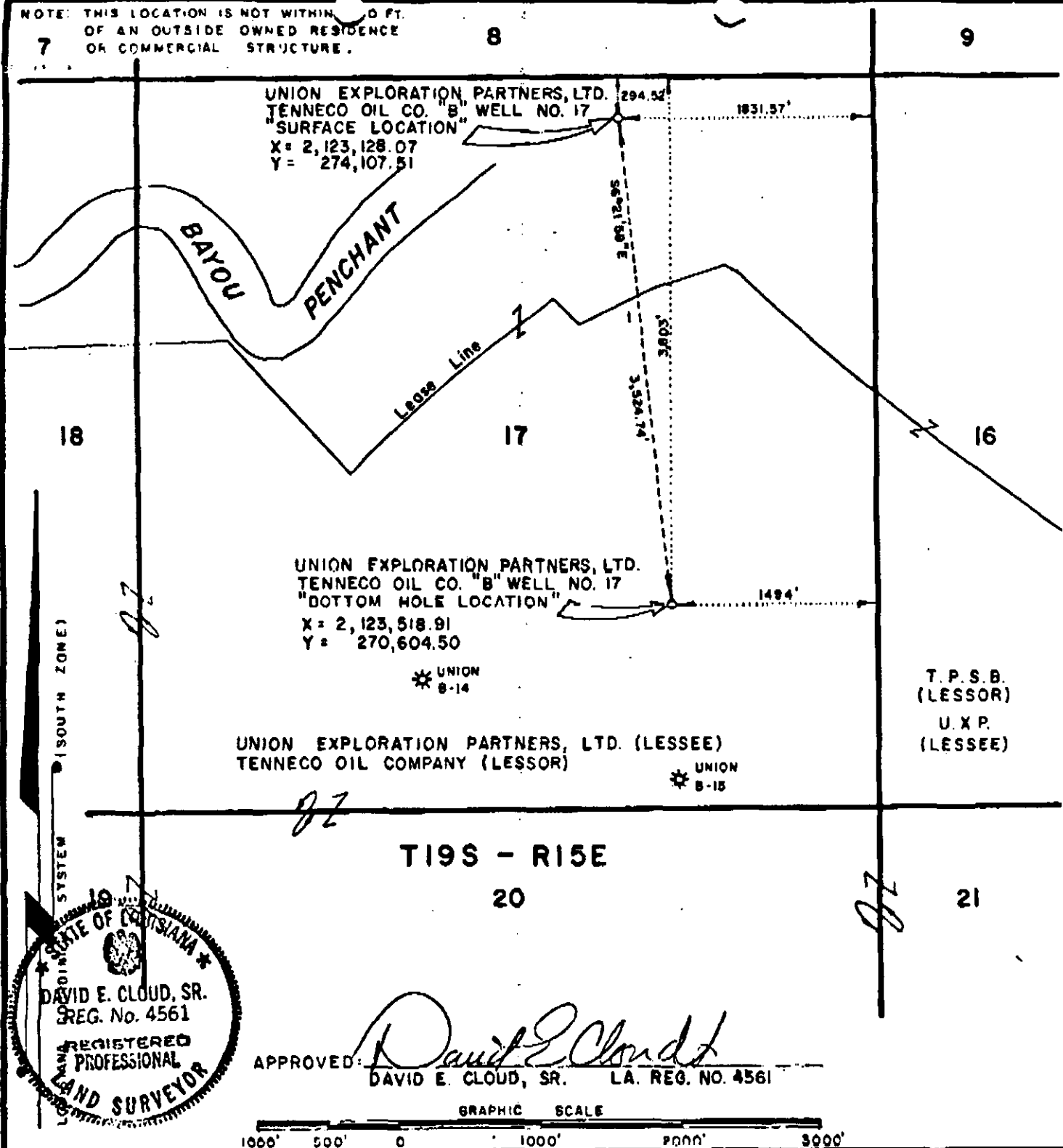
MORRIS P. HEBERT, INC.

REGISTERED LAND SURVEYORS
HOUMA, LOUISIANA

DRAWING NO. 2 of 3

FILE NO. A-2874-B

NOTE: THIS LOCATION IS NOT WITHIN 10 FT.
OF AN OUTSIDE OWNED RESIDENCE
OR COMMERCIAL STRUCTURE.



UNION EXPLORATION PARTNERS, LTD.

TENNECO OIL CO. "B" WELL NO. 17 - SURFACE LOCATED 294.52' FROM
THE NORTH LINE & 1,831.57' FROM THE EAST LINE OF SECTION 17;
THE BHL LOCATED S6°21'59"E - 3,524.74' FROM THE SURFACE &
BEING IN SECTION 17, T19S-R15E, TERREBONNE PARISH, LA.

DRAWN BY D.E.C.
CHECKED BY D.E.C.
SCALE 1"=1000'
DATE 8/23/89

MORRIS P. HEBERT, INC.
REGISTERED SURVEYORS

DRAWING NO.
FILE NO.

EXHIBIT

"F-2"

29/15

Morris P. Hebert, Inc.
Registered Land Surveyors

P.O. Box 3108
Houma, Louisiana 70361

LOUISIANA • MISSISSIPPI • ARKANSAS • ALABAMA • FLORIDA

May 17, 1989

(504) 879-2731
FACS (504) 876-9052

STATE OF LOUISIANA
DEPARTMENT OF WILDLIFE & FISHERIES
ECOLOGICAL STUDIES SECTION
P. O. Box 98000
Baton Rouge, LA 70898-9000

Attention: Ms. Virginia Van Sickle

RE: UNION EXPLORATION PARTNERS, LTD.
TENNECO OIL COMPANY WELL "B" #17
"CLASS B USE" Permit #240
CUP #880948; LMNOD-SW
(Terrebonne Parish Wetlands)895

Dear Ms. Van Sickle:

We have received the "Class B Use" permit for the above referenced project and hereby offer the following comments:

- A. Items 1 through 8 are hereby agreed to.
- B. Item 9 will be adhered to as follows:

Monitoring Plan

1. Frequency

- A. Weekly for two weeks prior to dredging to establish baseline.
- B. Daily during dredging operations and until parameters return to baseline conditions.
- C. Weekly during drilling operations.

2. Sites

- A. In Bayou Penchant adjacent to the mouth of the well canal.
- B. One quarter mile upstream and one quarter mile downstream of the mouth of the well canal in Bayou Penchant.
- C. In the well slip.

3. Water Column

- A. One foot from surface and one foot from bottom of waterways.

4. Parameters To Be Analyzed

- A. Water temperature (degrees Celsius)
- B. pH - S.U.
- C. Dissolved oxygen - mg/l
- D. Turbidity - JTU
- E. Total suspended solids - mg/l
- F. Specific conductance - uMHOS
- G. Oil & grease - mg/l

C. As recommended by the U. S. Fish & Wildlife Service, Union Exploration Partners, Ltd., hereby agrees to accept as enforceable the mitigative features stated under No. 1, A through G, of sheet 8 of 8 of the previously submitted permitted drawings. Additionally, Union Exploration believes, and the U. S. Fish and Wildlife Service agrees, that implementation of the above mentioned mitigative features represents adequate mitigation for this project.

D. In order to comply with item 11, Union Exploration Partners, Ltd. hereby agrees to change the design of the canal plug to that indicated in the "Class B Use" permit.

Should you have any questions, please feel free to call upon me.

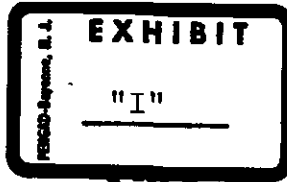
Sincerely,

MORRIS P. HEBERT, INC.


David E. Cloud, Sr., P.E.S.

DECsr/dbp

cc: UNION EXPLORATION PARTNERS, LTD.
ATTN: MR. WILLIS HENRY



Buddy Roemer
Governor

Paul Hardy
Lieutenant Governor
and Commissioner

State of Louisiana
Department of Culture, Recreation and Tourism

Henry A. Trudlio
Secretary

Post Office Box 84381
Baton Rouge, Louisiana 70804-0381
(504) 243-8118

February 23, 1989

Mr. Charles Killebrew
Office of Coastal & Marine Resources
Ecological Studies Section
La. Department of Wildlife and Fisheries
P. O. Box 98000
Baton Rouge, LA 70898-9000

Re: Request for a "Class B Use" Permit - Bayou Penchant -
Tenneco "B" Well #17

Dear Mr. Killebrew:

We have reviewed the above application with respect to impacts on wilderness qualities, scenic values and recreation. Our office feels that the development of an oil well on a scenic stream to be contrary to the spirit and intent of the Louisiana Scenic Rivers Act, Act 947 of the 1988 Regular Session of the Louisiana Legislature.

The Louisiana Scenic Rivers Act, clearly states in §1841 that:

B. (1) This system shall be administered for the purposes of preserving, protecting, developing, reclaiming, and enhancing the wilderness qualities, scenic beauties, and ecological regime of certain free-flowing streams or segments thereof.

B. (2) This system shall further be administered for the purpose of preserving aesthetic, scenic, recreational, fish, wildlife, ecological, archaeological, geological, botanical, and natural and physical features and resources found along these scenic streams or segments thereof.

§1849 C. further states that:

The criteria for an evaluation of an application for a permit shall consider the impact the activity may have on the characteristics and qualities of that natural and scenic



Mr. Killebrew
Page 2
February 23, 1989

river, including but not limited to the following:

- (1) Wilderness qualities
- (2) Scenic values
- (3) Ecological regimes
- (4) Recreation
- (5) Fish and other aquatic life
- (6) Wildlife
- (7) Historical and archeological
- (8) Geological
- (9) Botanical
- (10) Water quality as determined by the Department of Environmental Quality

This segment of Bayou Penchant is in pristine condition and is unmarred by man's activities. Our office feels that the development of an oil well at this site would irretrievably damage the wilderness qualities and scenic values of this site and lower its value for recreation. We cannot, in good conscience, recommend approval of this permit.

Sincerely,



Henry A. Truxillo

HAT:JCG:rm

Buddy Roemer
Governor

Paul Hardy
Lieutenant Governor
and Commissioner

Bryan Burdett



Henry A. Truxillo
Secretary

Leslie P. Tassin, Sr.
Assistant Secretary

State of Louisiana
Department of Culture, Recreation and Tourism
OFFICE OF CULTURAL DEVELOPMENT

May 4, 1989

Administrator
LA Natural & Scenic Rivers System
LA Department of Wildlife & Fisheries
P.O. Box 98000
Baton Rouge, Louisiana 70898-9000

Re: Class B Use Permit Request
Access Canal and Slip for a
Well Site
Union Exploration Partners, Ltd.
Section 17, T19S, R15E
Terrebonne Parish, Louisiana

RECEIVED

MAY -5 RECD

**ECOLOGICAL
STUDIES**

Dear Sir/Madam:

Reference is made to Mrs. Virginia Van Sickle's letter dated April 5, 1989, concerning the above. A review of our files indicates that there are no known cultural resources in the permit area. As we anticipate no impact to significant cultural resources, we have no objections to issuance of the permit. In the event any archaeological material is uncovered during construction, however, we request that this office be notified immediately.

If we may be of further assistance, do not hesitate to contact my staff in the Division of Archaeology and Historic Preservation.

Sincerely,

LP Tassin

Leslie P. Tassin
State Historic Preservation Officer

LPT:PGR:s

Kathleen M. Byrd, Ph.D., Director
Division of Archaeology
P.O. Box 44247 (900 Riverside North)
Baton Rouge, LA 70804
(504) 342-8170

Mr. Larry Williford - TPW Dep. Law Enforcement (Reg. Dir.)

Mr. Jerry MacRae - TPW Dep. Law Enforcement (Rusk)

Mr. Chuck Nash, Tex Parks & Wildlife Comm. Chairman

Mr. Peter Beck, TPW Comm. - Dallas

Mr. Delo Caspary, TPW Comm. - Rockport

Mr. Charles (Dickie) Travis, TPW Department Ex. Dir.

Dr. Gary Matlock, TPW Dep. Fisheries Division Director

(?) Mr. Chester Burdett, TPW Dep. Law Enforcement Div. Dir.